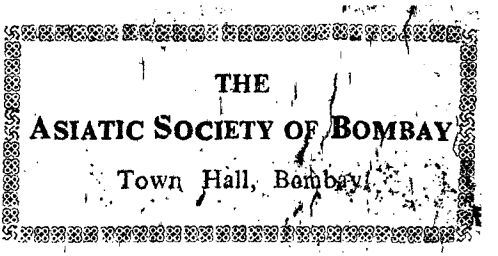
00032323



Digitized with financial assistance from the
Dr. Rani Karur
on 12 April, 2019

THE

HISTORY

OF THE

PROGRESS AND TERMINATION

OF THE

ROMAN REPUBLIC.

By ADAM FERGUSON,

LL. D. F. R. S. E.

LATE PROFESSOR OF MORAL PHILOSOPHY IN THE UNIVERSITY OF EDINBURGH; MEMBER OF THE ROYAL ACADEMY AT BERLIN, OF THE ROYAL ACADEMY AT FLORENCE, OF THE ETRUSCAN SOCIETY OF ANTIQUARIES AT CORTONA, AND OF THE ARCADIA AT ROME.

A NEW EDITION, IN FIVE VOLUMES.

REVISED AND CORRECTED.

WITH MAPS.

32323

VOL. I.

EDINBURGH:

PRINTED FOR BELL & BRADFUTE.

SOLD BY F. C. & J. RIVINGTON, CADELL & DAVIES, LONGMAN & CO. J. MURRAY, T. HAMILTON, AND T. UNDERWOOD, LONDON.

1813.

937.02
Fer/Ath

00032323

32323

TO THE

KING.

SIR,

THE History of the Romans, collected from the remains of ancient Authors, has been often written in the different languages of Europe. But a relation worthy of the subject, simple and unambitious of ornament, containing in the parts an useful detail, and in the whole a just representation, of the military conduct and political experience of that people, appeared to me to be still wanting.

Having earnestly endeavoured to supply this defect, especially in what relates to the latter times of the Republic, the intention, I hope, joined to the importance of the matter, will justify my humble desire to inscribe this Performance to your MAJESTY.

I am, with the most profound Respect,

SIR,

YOUR MAJESTY'S

Most faithful Subject, and

Most obedient humble Servant,

ADAM FERGUSON.

ADVERTISEMENT.

In a Note prefixed to the former Edition of this Work, the Reader was warned of a freedom taken in the promiscuous use of ancient and modern geographical names; but as, in that instance, there was scarcely any deviation from common practice, the irregularity, if observed, may, it is hoped, have been forgiven.

It has since occurred, that it might give more satisfaction to Readers who do not themselves consult the originals, to have some View, however contracted, of the Authorities

on which the following Narration is founded; serving at once to shew what encouragement modern compilers have had to attempt such a work, and what were the difficulties which they had to surmount. In presenting such a view, however, there is no intention to criticise the original authors; but merely to observe on their means of information, and title to be quoted as evidence.

The earliest memorials of what passed at Rome, were Annals said to be kept by the Supreme Pontiff, and by him exposed to public inspection, even from the days of Romulus,—a circumstance, surely, not much to be looked for in such times: But, whatever we may think of this, it is confessed, that Rome itself, with all its contents, was destroyed by the Gauls, near four hundred years after its foundation; and there was no attempt to revive its history for near two hundred years afterwards, unless we suppose the Great Annals, the mention of which is ascribed to Atticus

in one of Cicero's Dialogues *, to have been such an attempt by some antiquary, who, the better to pass his fabrication for an original, concealed himself. Next to the author of these Annals, Fabius and Cato, who lived in the sixth century of Rome, or in the time of the wars with Carthage, are, in the same passage of Cicero's Dialogues, placed as the first adventurers in Roman history. With respect to ancient times, therefore, of which these authors could not obtain much good information, we may suspect that the greater part was tradition, interlarded with fable; although, with respect to what they themselves had access to know, as parties concerned, or from the relation of contemporary writers, of whom there were some in Greek, they were no doubt highly entitled to credit. Both are mentioned among the Officers of State; and Cato, in particular, is ever held forth as a pattern of wisdom, frugality, and severity

* Vid. de Legibus, lib. i, c. 2.

of manners. Among the authorities from which these first Roman historians may have derived information, are mentioned Hieronymus Cardianus, Timæus Siculus, and others; all of whom, in writing of Alexander and his successors, must have only cursorily mentioned the Romans, and must themselves have been of an age not much higher than that of Fabius and Cato, that is, about the age of Pyrrhus, who was opposed to the Romans in their war with Tarentum. The biographer of this adventurer, too, in treating of his subject, must have given the Romans their place in his narrative. But whatever may have been contained in any such memorials, no longer extant, must now be looked for in the compilations of Dionysius of Halicarnassus, Livy, Plutarch, and others, who lived after the Republic itself was no more.

Dionysius was a Greek, who removed to Rome soon after the sovereignty of the Empire devolved on Octavius, and, continuing

there about twenty years, became acquainted with what could be known of its history. He professed himself a writer of antiquities; but, whilst he complains that his subject had been too much neglected by former authors, he must be understood to confess, that he himself was left without any adequate information or record to support him in the detail which he affected to give. It appears, that he wrote no less than twenty volumes or books, continuing his narration from the earliest tradition of any Roman story, down to the first Punic war. Of these twenty books, however, no more than eleven are now recovered from the ruins of ancient literature; and they end with the expulsion of the Decemvirs, about the close of the fourth century of Rome.

Livy, to whom, also, we owe a detail of what was reported from the first ages of Rome, was a native of Padua; and being retained in the family of Livia, as tutor to Claudius, one

of her grandsons, who was afterwards raised to the Empire, must have had access to every source of information the times could afford: But in respect to the early transactions for which he is now to be quoted, he could not have had any authorities besides those already mentioned: And he himself, in entering upon his subject, expresses a doubt whether it was worth while to repeat the uncertain accounts which were preserved of the origin and first ages of Rome.

PLUTARCH was a Greek, who lived at Rome in the reign of Trajan, about a century later than Livy. In writing the lives of Romulus, Numa, and Camillus, he must have borrowed from Livy and Dionysius, or rested on the same authority with them. But when we consider the source from which these authors derived, we are scarcely at liberty to assume as history any more than such facts as tradition was competent so supply: such as the origin of the Roman State having been a small

principality; the names, numbers, and wars of its leaders; signal and notorious events; great revolutions, and so forth.

From the times of Fabius and Cato, indeed, memoirs and diaries were multiplied at Rome. It was common for persons of high station to record the transactions in which they themselves bore a part, and frequent essays were made of more general history. Among the authors of this sort, are mentioned one Albinus, who wrote in Greek: Cassius, who carried the general history of Rome down to the destruction of Carthage: Polybius, whose authority is to be more particularly mentioned hereafter: Scribonius Libo, who served under Galba in Spain, and afterwards impeached his Commander for an act of treachery to the natives: Fannius, who served under the younger Scipio in the reduction of Carthage: Calpurnius Piso Frugi, mover of the first penal statute to restrain extortion in the provinces;

thor, being contemporary with Caius

Gracchus, wrote particularly of those interesting times: Attius or Accius, Ennius and Nævius, who, towards the end of the sixth century, in the manner of first or rude attempts, composed their narrations in verse: Sempronius Osellio, who served under Scipio in the war with Numantia: Lucius Cælius Antipater: Junius Gracchanus; all of them quoted as compilers of general history. Æmilius Scaurus, who was Consul in the year of Rome 639, wrote his own memoirs; as did Rutilius Rufus, Consul ten years afterwards, besides a general history of Rome in Greek. He is numbered with the most respected of the Romans, for public and private virtue: Being at variance with the popular faction, he ended his life in exile at Smyrna. These are mentioned now, although none of their productions remain, merely to shew on what grounds Livy, Sallust, and other writers, may have rested their own credit. And to those writers, also, may be joined the celebrated names of Lutatius Catulus, of Caius Marius,

of Cornelius Sylla, and others, down to Julius Cæsar, the subject of whose well-known Commentaries made so important a part in the military transactions of Rome. Even Hannibal may be numbered in this list, on account of the columns which he erected in Calabria, before his departure from Italy, inscribed with the principal dates and transactions of the war, quoted by Polybius.

From the beginning of the great political contests at Rome, every individual might appear on the stage of public life: and after the first exploit of the Commonwealth beyond the limits of Italy, the State itself acted a conspicuous part on the scene of the world; where every event was notorious beyond what is known of any other instance in the history of mankind. And if we subjoin, that, for a considerable period, the proceedings of the Senate and People, formerly neglected, began to be carefully preserved in

ds; we cannot too much regret,

that so little of the works of Sallust and Livy remain on the subject of transactions concerning which their information may have been so complete. SALLUST is known to have written a general history of Rome; but no more than his Account of the War with Jugurtha, and of the Conspiracy of Cataline, remain to us.

Of one hundred and forty Books composed by LIVY, no more than thirty-five have yet been recovered. These consist of the first ten, containing what may be called Antiquities, down to the fifth Century of Rome. The following ten Books, or those from the eleventh to the twentieth inclusive, are still missing. From the twenty-first to the forty-fifth are recovered. These, indeed, contain a very interesting period of history, from the beginning of the second Punic War to the reduction of Macedonia, about five hundred and eighty years after the foundation of Rome. Although, in point of time, this amounts to

the greater part of the whole period of Livy's History; yet, compared to what must have followed, relating to transactions the most important, and to persons the most distinguished, of any age or nation, we must consider what has hitherto been recovered as but the meaner and less authentic part of his Work.

So much of this great production, and the whole of Sallust's General History, being lost, must oblige us to supply the defect from other writers of less note, but qualified, in being possessed of these superior authorities, to furnish a considerable part of the information required. In this exigency, therefore, we recur to the Epitome of Livy himself, written by an unknown hand: To Florus, a man of letters, supposed to have lived in the reign of Trajan: Eutropius, who served under Julian, in his expedition to Parthia: Velleius Paterculus, an officer of high rank under Tiberius, whom he flatters; though he

himself, at least in his literary capacity, deserved a better patron. What remains of this author, indeed, is but a part of what he wrote; and our principal supply, in this deficiency of Livy and Sallust, is from POLYBIUS, PLUTARCH, DION CASSIUS, and APPIAN. To POLYBIUS, we recur as an authority from whom Livy himself probably derived much information, and whom, especially in military transactions, we must consider as the preferable authority of the two. He was a native of Megalopolis, one of the constituent members of the Achæan League. His father, Lycortas, having been at the head of this League; the son was trained up and employed in affairs of state and of war. When the League was dissolved, to make way for the sovereignty of Rome, Polybius, with many others, was removed to Italy, to serve as hostages for the good behaviour of their countrymen. At Rome, he became intimate with many of the highest rank, and particularly attached to the younger Scipio

Africanus, many of whose actions he witnessed; and never was authority more entire, whether we consider him in respect to his capacity of distinguishing what was important in the detail of military and political operations, or in respect to his predilection for truth, in preference to any misrepresentation of matters, where truth alone can give any value to the statement. This Work, when entire, consisted of forty Books: but of these, only five, with some fragments of the others, remain to us. PLUTARCH, in writing the Lives of Persons of different ages, has preserved separate pieces, whether of history or tradition, from the foundation of Rome down to the first period of the Empire; so that whilst he tells us what was reported of Romulus and Numa, he also details the actions of Marius, Sylla, Lucullus, Cicero, Pompey, and Cæsar.

In the remains of DION CASSIUS, we have a continued series of Roman history, from the

times of Lucullus to the death of the Emperor Claudius, and thus extending downwards beyond our period. This author was a native of Bithynia. His father had been governor of Cilicia under the Emperor Hadrian. He himself removing to Rome, was admitted into the Senate under the Emperor Commodus; and continuing in favour with successive Emperors, passed through the Consulate in the reign of Alexander the son of Mammæa. His rank, and means of information, therefore, entitle him to credit. He had composed a general History of Rome, from its origin down to his own times, consisting of fourscore Books; of which the first thirty-four, and part of the thirty-fifth, are lost: bnt twenty-five books, from the thirty-fifth to the sixtieth inclusive, containing the period of history now mentioned, are still extant. The twenty books which followed after these, are lost, and if they were recovered have no relation to our period.

Appian of Alexandria was also a person of rank, himself said to have been governor of a province under the Antonines; and being posterior to Plutarch, transcribes him in some places. He, too, is supposed to have composed a general History of Rome, from Æneas to Trajan, of which the histories which now bear his name were only extracts, relating to different wars, foreign or domestic; as those with Hannibal, with Mithridates, and Syria; together with the civil wars of Marius and Sylla, of Pompey and Cæsar. These being arranged in their proper places, contribute greatly to the general stock of information, to which the separate remains of Sallust, in the war with Jugurtha, and the conspiracy of Cataline, are still a more satisfactory addition. This author was a Roman Senator; though, in part of his life, obnoxious to censure and reproach in his moral character, and afterwards, in subverting the Republic, a partisan of Cæsar; yet he is allowed to be

of good credit in history, as well as distinguished by the energy of his style.

In continuing to take the series of information chiefly from Dion Cassius, we come upon the ground of Cæsar's Commentaries; with the Correspondence, and other works of Cicero; the Lives of the Cæsars, by Suetonius; the Annals of Tacitus, respecting the latter times of Augustus, the reign of Tiberius, and the accession of Caius, at which our narration concludes. Concerning the credit of these authors, it is not necessary to offer any remarks, even to those who have barely heard of their names.

Throughout the whole, or any part of our narration, we avail ourselves of circumstances or facts mentioned by authors, though not professing to write history; as Strabo the Geographer, who, living in the reign of Augustus, travelled to visit the countries of which he wrote; and, in mentioning places,

sometimes recalls the memory of transactions connected with them: PLINY, the Natural Historian, whose informations sometimes have reference to matters of State; A. GELLIUS, a Grammarian, or, as we translate that epithet, a man of letters, who lived under the Emperor Hadrian, and in his collections, which he calls Attic Nights, has preserved some facts, in the form of quotations, from more ancient authors. To these we may join ASCONIUS PÆDIANUS and FESTUS. The *first*, in his Introductions to the Orations of Cicero, or in stating their subjects and occasions, has preserved some particulars which might otherwise have been lost. The other, a Grammarian, who, in abridging Varro, and explaining terms, sometimes touches upon matter of history.

There are also writings more of an historical cast, which must not be omitted here, whether ancient, and relating to other nations with whom the Romans had to do, or of which

the authors, though living lower down in the Christian era, yet, before the destruction of letters, had access to consult the more ancient authors entire. Of the first class are PAUSANIAS and JOSEPHUS; the one writing of Greece, the other of Judea. FRONTINUS, a military officer who served under Nero, Vespasian, and Trajan, and who, in collecting stratagems of war, sometimes falls within our period. VALERIUS MAXIMUS, who was an adherent of Sextus, the last of the unfortunate sons of Pompey, and has left a collection of remarkable sayings, actions, and examples of different sorts, which occur to be quoted. CORNELIUS NEPOS, well known for the Lives of eminent Personages, whether Greek or Roman; and, lastly, of the same description, AURELIUS VICTOR, who, living about the times of Constantine, has written the Lives of Illustrious Persons, and of the Cæsars in particular. And it is unnecessary to observe, that the list and succession of Consuls, and other officers of

State, inscribed on marble, or otherwise preserved, are a material aid in compiling this History.

Among the authors of a later date, who may have had access to consult the ancients entire, we quote Orosius, a Spanish priest of the fifth century; Zonaras and Xephilinus, both of Constantinople, and previous to the invasion of the Turks.

Such, then, are the materials, from which any continued relation of the Progress and Termination of the Roman Republic can be attempted; and an author, who would specify the occasion and progress of every transaction, is nearly in the state of a limner, who, attempting to restore the portrait of a person deceased, is furnished only with fragments of sculpture, or shreds of canvas, bearing the form and outline of some feature, the tint of complexion, or colour of eyes and hair, and who is reduced, where the original

is wanting, to put up with a copy, though by an inferior hand; fortunate, if in all these taken together, the features and character he is in search of can be made to appear. But it must be confessed, that the masterly cast of our materials in the present case is such, that it must be the fault of those who employ them, if the production fall greatly short of resemblance, or a just effect.

Although, in making this attempt, ancient authorities alone are to be followed, yet there are aids of a more recent date, to which this Compiler, if there be any merit in his performance, must loudly acknowledge his obligations. Such are, the Dissertations of Guazzessi and Vestrini, quoted in their respective places; the Annals of Pighius, a powerful assistant in removing chronological and other difficulties, or in leading to the less obvious authorities; the Commentaries of Mongault on the Letters of Cicero to Atticus, and the Considerations of Montesquieu

on the Grandeur and Decline of the Romans, collecting into general points, what every reader may be pleased to observe in detail.

As to the following Edition of this Work, there is little change, besides the omission of the division into books, and numbering of the chapters on to the last, merely to facilitate the partition of the whole into volumes of this size. Some effects of inadvertency in the matter have been removed; and the place or ground of some military operations or movements have been reconsidered, and, from personal observation, or aids politely supplied on the spot, more accurately fixed. The language, too, has been revised, though without any intention to depart from that simplicity of writing which is surely expedient in compositions of this sort, where we mean, to the best of our knowledge, to trace the course of human affairs, not to gather the flowers

which every ingenious author may strew upon the way.

Here, it is presumed, we read as we look about us in common life, to enlarge our stock of that knowledge, of which the better part is founded in the experience we ourselves have had: and as experience, of which History professes to be the faithful record, is too stubborn to be ruled by the predilection of its votaries; to wear the garb of vanity; or owe its title to be relied on to any consideration besides that of reality and fact; an author cannot be too earnest to bring forward his subject as he has found it, without any attempt to amplify, extenuate, or warp in any direction, leaving the students of history to infer, as they may, from the past, what, in like circumstances, and from actors of a similar cast, they should lay their account with in human life.

With these impressions on the mind, mere ornament of style is frivolous; and the opinions of an author but light in the scale of a well-understood and faithful record, bearing from age to age what experience has taught for the instruction of mankind. The colours applied by an author, frequently do but mar the effect of the picture, or mislead the eye of the beholder. If the author of the following compilation has been sometimes checked in his daubing by this consideration, he may still hope that the candid will not impute as a blemish, what he meant as a recommendation of his Work.

EDINBURGH,
Feb. 7. 1805.

CONTENTS

OF

VOLUME FIRST.

CHAP. I.

The subject.—Supposed origin of the Roman State.—Its government.—The King.—Senate.—People.—Curiæ.—Centuries.—Tribes.—Religion.—The triumph.—Original maxims.—Progress of the state under its kings.—Change to a republic.....Page 1

CHAP. II.

Form of the Republic.—Dissension of parties.—First dictator.—Secession of plebeians.—Tribunes of the people.—Their objects.—Distribution of corn.—Division of lands.—Pretensions of the plebeians.—Commission to compile laws.—Decemvirs.—Twelve tables.—Intermarriage of ranks.—Claim of the plebeians to the consulate.—Military or consular Tribunes.—Censors.—Ædiles.—Præfectus Annonæ.—Fortune of the Republic.—Reduction of Veiæ. ome by the Gauls.—Rebuilding of the

.....18

CHAP. III.

Scene of foreign war and domestic dispute opened with reviving Rome.—Faction or conspiracy of Manlius.—Condemnation.—Plebeians elected into the office of consular tribunes.—Aspire to the consulate.—The first plebeian consul.—Establishment of the prætor.—Patrician ædiles.—The plebeians qualified to hold all the offices of state.—The measure of Roman magistracy complete.—Review of the constitution.—Its seeming defects.—But great successes.—Policy of the state respecting foreign or vanquished nations.—Formation of the legion.—Series of wars.—With the Samnites.—Campanians.—The Tarentines.—Pyrrhus.—Sovereignty of Italy.—Different footing on which the inhabitants stood.....Page 71

CHAP. IV.

Limits of Italy.—Contiguous nations.—Ligurians.—Gauls.—Greek and Phœnician colonies of Gaul and Spain.—Nations of Illyricum.—Of Greece.—Achæan league.—Thebans.—Athenians.—Asiatic nations.—Pergamus.—Syria.—Egypt.—Carthage.—The Mamertines of Messina.—Occasion of the first war with Carthage.—Losses of the parties.—Peace.—State of the Romans.—Political or civil institutions.—Colonies.—Musters.—Operation on the coin.—Increase of the slaves.—Gladiators.—Different results of the war at Rome and Carthage.—Mutiny and invasion of the mercenaries at Carthage.—End of this war.—Cession of Sardinia.—War with the Illyrians.—First correspondence of Rome with Greece.....102

CHAP. V.

Progress of the Romans within the Alps.—Origin of the second Punic war.—March of Hannibal into Italy.—Progress.—Action on the Tecinus.—On the Trebia.—On the

lake Thrasimenus.—Battle of Cannæ.—Hannibal not supported from Carthage.—Sequel of the war.—In Italy.—And Africa.—Scipio's operations.—Battle of Zama.—End of the war. ..... Page 133

CHAP. VI.

State of Rome at the peace with Carthage.—Wars with the Gauls.—With the Macedonians.—Battle of Cynocephalæ.—Peace.—Freedom to Greece.—Preludes to the war with Antiochus.—Flight of Hannibal to that prince.—Antiochus passes into Europe.—Dispositions made by the Romans.—Flight of Antiochus to Asia.—His defeat at the mountains of Sipylus.—Peace and settlement of Asia.—Course of Roman affairs at home, &c. 223

CHAP. VII.

State of Italy.—Character of the Roman policy.—Death of Scipio and of Hannibal.—Indulgence of the Romans to the king of Macedonia.—Complaints against Philip.—Succession of Perseus, and origin of the war.—Action on the Peneus.—Overtures of peace.—Progress of the war.—Defeat of Perseus at Pidna, by Paulus Emilius.—His flight and captivity.—Settlement of Macedonia and Illyricum.—Manners of the Romans. 268

CHAP. VIII.

State, manners, and policy of the times continued.—Repeated complaints from Carthage.—Hostile disposition of the Romans.—Resolution to remove Carthage from the coast.—Measures taken for this purpose.—Carthage besieged.—Taken and destroyed.—Revolt of the Macedonians.—Their kingdom reduced to the form of a Roman province.—Fate of the Achæan league.—Operations in Spain.—riathus.—State of Numantia.—Blockade of

Numantia.—Its destruction.—Revolt of the slaves in Sicily.—Legal establishments and manners of the city..Page 303

CHAP. IX.

Extent of the Roman empire.—Political character of its head.—Facility with which it continued to advance.—Change of character, political as well as moral.—Character of the people or commons.—Dangerous humours likely to break out.—Appearance of Tiberius Gracchus.—His project to revive the law of Licinius.—Intercession of the Tribune Octavius.—The republic divided.—Disputes in the comitia.—Deposition of the tribune Octavius.—Commissioners appointed for the division of lands.—Tiberius Gracchus sues to be re-elected tribune.—His death.—Immediate consequences.—Proceedings of Carbo.—Embassy of Scipio.—Foreign affairs.—Violence of the commissioner.—Domestic affairs.....357

THE

HISTORY

OF THE

PROGRESS AND TERMINATION

OF THE

ROMAN REPUBLIC.

THE

HISTORY

OF THE

PROGRESS AND TERMINATION

OF THE

ROMAN REPUBLIC.

CHAP. I.

The subject.—Supposed origin of the Roman State.—Its government.—The King.—Senate.—People.—Curiæ.—Centuries.—Tribes.—Religion.—The triumph.—Original maxims.—Progress of the state under its kings.—Change to a republic.

THE Roman State was originally a small principality, and one of the many little cantons, which, under the denomination of Latins, occupied the left of the Tiber, from its confluence with the Anio to the Sea, and from Ostia to Circeii on the coast. Within this narrow tract, extending on the shore about fifty miles, but in breadth inland no more than sixteen miles, the Latins are said to have formed no less than forty-seven independent communities *, having for each a separate capital or

* Dionys. Halicar. lib. iv.

strong-hold, to which they occasionally retired for safety, with their cattle and other effects, and from which they had frequent wars to maintain *. The country, divided into so many separate territories, we may consider as resembling some of the lately discovered islands in the Southern or Pacific Ocean †, where every height is represented as a fortress, and every little township, that can maintain its possessions, as a separate state. Among settlements of this description, the Romans, though originally no way distinguished in point of possessions or numbers, yet, in consequence of some superiority of institution or character, came, at an early period, to have a decided ascendant.

Beyond the Tiber on the one hand, and the Liris on the other, the contiguous parts of Italy were possessed, in the same manner with Latium, by different races of men, who, under various denominations, of Etrurians, Samnites, Campanians, and others, formed a multiplicity of little nations, united by leagues for common safety, and ranged under opposite interests, with a view to some balance of power which they endeavoured to maintain. The peninsula towards one extremity ‡, was from time immemorial peopled with Grecian colonies. Towards the other, it was, in the first ages of the Roman state, overrun by nations of Gaulish extraction ‖.

The land throughout, in respect to situation, cli-

---

* Liv. lib. i, c. 5, &c.
† See Cook's Voyag
‡ Magna Græcia.
‖ Gallia Cisalpina.

mate, and soil, was highly favoured, diversified with mountain and plain, well wooded and watered, replenished with useful materials, fit to yield pasture for numerous herds, and to produce abundance of corn, wine, and oil: And what is still of more importance, was already become the flourishing nursery of ingenious men, ardent and vigorous in their pursuits, though, in respect to many arts and inventions, yet in a state of great simplicity or ignorance.

THE Romans are said to have made their settlement in the end of the sixth, or beginning of the seventh Olympiad *, about two hundred years before the accession of Cyrus to the throne of Persia, seven hundred years before the Christian Æra, and long before the date of any authentic profane history whatever. The detail of their story is minute and circumstantial; but on this account is the more to be suspected of fiction †: And in many parts, besides that of the fable, with which it is confessedly mixed, may, without any blameable scepticism, be rejected as the materials or embellishments of a mere tradition, which partakes in the uncertainty of all other profane history of the same times, and labours under the obscurity which hangs over the origin of all other nations ‡.

---

* Dionys. Hal. lib. i.

† When a narrative details what an eye-witness alone could know, and without any authority from such a witness, it is composed, like poetry or novel, for *entertainment*, not *information*. "De Romulo et Remo ut aiunt," appears to have been a proverbial expression for any gossiping tale of antiquity. Cicero, de Legibus, lib. 3.

‡ Liv. lib. vi.

That the Roman state was originally a small one, and came by degrees to its greatness, cannot be doubted. So much we may safely admit on the general analogy of human affairs, or infer, from the continuation and recent marks of a progress which this people were making, after they became an object of observation to other nations *, or began to keep records of their own: That they had been an assemblage of herdsmen and warriors, ignorant of letters, of money, and of commercial arts, inured to depredation and violence, and subsisting chiefly by the produce of their herds, and the spoils of their enemies, may be safely admitted; because we find them, in the most authentic parts of their story, yet busied in supplying these defects, and coming forward in the same direction, and consequently proceeding from the same origin, with other rude nations; being, in reality, a horde of ignorant barbarians, though likely to become an accomplished nation.

In the first accounts of their settlement, it is said that they mustered three thousand men on foot and three hundred on horseback †. Their establishment being effected by surprise or by force, and their people consisting of armed men, who had every acquisition to make at the expence of their neighbours, they were naturally in a state of war with the country around them. They took post on the Palatium, a small height, among others, on the Tiber, which, according to former traditions, had been previously

* Dionys. Hal. lib. i. † Liv. lib. i. c. 4.

occupied by five different races of men, who, in a country so precariously settled, were frequently changing their places *. Their city, humouring the form of the eminence on which it stood, was the first model of a Roman camp, fortified with a square breastwork and ditch, to serve as an occasional retreat to themselves and their cattle. Their leader, or chief, was the sole magistrate or officer, either civil or military. His followers were distinguished into different classes or ranks, under the names of Patrician and Plebeian, Patron and Client. "The Patron," says Dionysius, "was to protect, "to give counsel; and, whether present or absent, "was to his clients what the father is to his family. "The Clients, in return, were to contribute to the "support of their Patron, to aid him in placing his "children in marriage; and, in the case of his be-"ing taken by an enemy, were to pay his ransom; "or, in the case of his being condemned in a fine, "were to discharge it for him †."

The limits of prerogative and privilege, as in other rude societies, were yet imperfectly marked. It was the prerogative of the king to lead in war, and to rule in peace; but it is probable that he no more wished to deliberate than to fight alone; and, though he may have done either occasionally, yet numbers were ever ready to attend him in either. The people acknowledged him as their chieftain, or prince; but they themselves, as in other instances of the same kind, were accustomed, on remarkable

* Hal. lib. i. † Ibid. lib. ii. c. 10

occasions, to assemble; and the whole being present, without any concerted form of democracy, became the sovereign power as often as their passions engaged them to act in a body. The superior class of the people as naturally came to have their meetings selected, and may have frequently assembled apart, when the occasion was not sufficient to require the attention of the whole *. Hence probably the existence of a Senate, and of the comitia, or popular assemblies, institutions of so early a date as to be ascribed to the first of their kings †.

Even this founder of the state, we are told, was distinguished by his ushers, or lictors, carrying before him the axe and the rods, as the emblems of his power, and the instruments of his justice. The names of the senators were entered in a list, and they were separately called to their meetings. Assemblies of the people were proclaimed at the sound of a horn. The citizens were distinguished into Curiæ, Centuries, and Tribes; divisions under which they formed their several compartments, for military array, religious ceremonies, or political deliberations. When met to decide on any public affair, each division apart collected the votes of its members, from thence formed an award for the Curia or Century; and, by the majority of these, determined the whole. The Curiæ were fraternities, or divisions of the people, which met for the performance of religious rites:

---

* De minoribus rebus Principes, de majoribus o. Moribus Germ.

† Dionys. lib. i.

each had its separate priest, and place of assembly. When the Curiæ were called on matters of state, they retained part of their religious forms; opened their meeting with observing the auspices, or signs of futurity; and if these were unfavourable, could not proceed on business. The augurs, therefore, in this mode of assembly, had a negative on the proceedings of the people.

The centuries were formed on a more artful idea, to make power accompany wealth. The people were divided into classes, according to the rate of their fortunes: each class was divided into Centuries; but the number of Centuries in the different classes was so unequal, that those of the first or richest class made a *majority of the whole*; and when the Centuries of this class were unanimous, they decided the question. By this institution, the rich were masters of the legislature, though not without some compensation to the poor, as the several classes were charged with taxes and public services, in the same proportion in which they were vested with power.

The people, when thus assembled, were distinguished in their classes by their ensigns and arms, and, though called together on political affairs, were termed the army *.

In the first ages of this principality or commonwealth, the meetings of the people were held first by Curiæ, and afterwards by Centuries. The practice of voting by Tribes was of a later date than either, and was the device of a popular party, to ex-

* Dionys. Hal. lib. iv. c. 16, 17. 18. Liv. lib. i. c. 43, Exercitus.

clude the auspices, to level the condition of ranks, and by these means to turn the channels of power in their own favour. The people were formed into their Classes and Centuries, to elect their officers, to enact laws, or to deliberate on other affairs of state; but they did not without struggle or contest always acquiesce in this mode of assembly. The poorer citizens often insisted to be called in the Curiæ, and afterwards in the Tribes, to decide on affairs which the rich would have referred to the Centuries alone. The question on these occasions went to the foundation of the constitution, and implied a doubt whether the state should incline with the preponderance of numbers, or of property *.

---

* State of the Classes and Centuries at the establishment of the Census:

Class.	Valuation. Roman.	Sterling. L. s.	NO. of Cent.
1.	100,000	322 18	98
2.	75,000	242 5	21
3.	50,000	161 9	21
4.	25,000	80 14	21
5.	11,000	35 10	31
6.	———	———	1
Total,	- - -	-	193 From
First Class,	- - -	-	98 Sub.
			95
Majority of the first Class.		-	3

A property of 100,000 asses or pounds of copper entitled the owner to a place in the first Class, 75,000 to a place in the second, 50,000 to a place in the third, 25,000 to a place in the fourth, 11,000 to a place in the fifth, and the remainder of the people, having no valuation, or having less than that of the fifth class, were thrown into the sixth or last Class. The whole were divided into 193 Centuries, of which the first Class contained 80 Centuries of foot, and 18 of horsemen, in all 98; being a majority of the whole. The sixth Class [illegible] no more than one Century, as appears from the inspection of the preceding table.

To these original springs of the political frame may be joined those of religion, which in all governments must have a considerable force; and in this have always been supposed of signal effect in regulating its movements. Here indeed, there being no distinction of clergy and laity, the authority of augur and priest was often united with that of statesman or magistrate: and as, in the mind of every citizen, notwithstanding the high measure of his superstition, the sword of state was preferred to the altar, the politician and warrior, without adopting the interest of a priesthood, availed himself of the respect which was paid to religion, and made superstition itself subservient to the purposes of state. With presages and prodigies he encouraged or restrained the people in their desires and pursuits; he bound them with vows and with oaths, to a degree that has not been equalled by mankind in any other instance; in so much that, with reference to this circumstance in particular, it has been observed, that the seeds of Roman greatness were laid in the implicit devotion with which every citizen revered the sacred rites of his country *.

The wants by which the Romans were impelled in the first state of their settlement, made it necessary for them to vanquish their neighbours, or to perish in the attempt. Fortitude, accordingly, in their estimation, was the principal quality of human nature, and the defeat of an enemy the chief of its fruits. Every leader who obtained a victory made

* See Machiavel's Discourses on Livy.

his entry at Rome in procession; and in this gave rise to the *triumph*, which continued, from the first to the last age of the commonwealth, to be a principal object of ambition.

Historians, admiring the effect of this and of other practices of an early date among the Romans, have represented their founder, and his immediate successors, as philosophers, statesmen, and able tutors, who, with a perfect foresight of the consequences, suggested the maxims which gave so happy a turn to the minds of men in this infant republic. They are said to have taught, that by frugality and valour the Romans were to subdue the world: that they ought not to lay waste the lands which they conquered, but to possess them with colonies of their own people: that they ought not to slay the vanquished, but to cherish their captives, and transport them to Rome, as an accession to the number of their own citizens: that they ought not to make war when they had received any wrong, nor to commence hostilities until they had demanded and had been refused reparation of any wrong they had suffered. In whatsoever degree we suppose these maxims to have been expressed or understood in the councils of Rome, it is certain that the general conduct of the state, in particulars to which the maxims relate, was sufficient to have suggested the idea that they were known, and adopted on a deliberate principle of government.

To the other wise or fortunate customs which may be traced up to those early times of [illegible] join that of the Census, by which

every period of five years, took a regular account of the numbers and estates of their citizens, as the best measure they could have of their own progress or decline, and the surest test of their felicity and good conduct as a nation.

The Romans reckoned in the first period of their history a succession of seven kings*, to each of whom they ascribed the invention of their several institutions. To Romulus, they ascribed the mixed form of their government, the establishment of the senate and assemblies of the people, the distinctions of Patrician and Plebeian, with the relations of Patron and Client. To Numa, the religion of the people, and their regard to oaths. To Servius Tullius, the Census, or periodical muster; and so on. But whether we suppose these institutions to have been the suggestion of particular occasions, or the invention of ingenious men, directed by a deep premeditation of all their effects, there is no doubt that such institutions existed at an early period, and served as the foundation of that policy which long continued to distinguish the Roman state.

The monarchy of Rome is said to have lasted two hundred and forty-four years; a period in which the numbers of the people, and the extent of their settlement, had greatly increased. During this period, they had drawn many of their neighbours to Rome, and sent many of their own people to occupy settlements abroad. By the inrolment of aliens, they

* Romulus, Numa, Tullus Hostilius, Ancus Martius, Tarquinius Priscus, Servius Tullius, Tarquinius Superbus.

procured a certain increase of people; and by spreading their colonies around, they made acquisitions of territory, and extended the nursery of Roman citizens. We find, nevertheless, that, by the last part of this policy, they incurred a danger of losing the people whom they thus established or bred up in new settlements apart, however little removed from the metropolis. Men had not yet learned to consider themselves as the citizens of one place, and the inhabitants of another. In departing from Rome, the Colonists ceased to be inrolled in any tribe or ward of that city, or of its district; or to be ranked in any class of the people. They ceased, of course, to be called upon to vote in any of the assemblies, and these they no longer attended. They cherished notions, by degrees, of an interest separate from that of their original country, so much, that the colonies which had been planted under the auspices of one prince, did not acknowledge the authority of his successors; and conquests, where Roman citizens had been planted, in order to keep the natives in subjection, were sometimes in danger of being lost. The colony took a part in the discontents of the people they were sent to restrain, and became parties in their quarrel with Rome *. But, notwithstanding frequent instances of this sort among the Roman colonies, the memory of their descent, and the ties of consanguinity, the pride of their distinction as Romans, the capacity in which every colonist stood of being reinstated in the rolls

* Liv. lib. iii, c. 4.

of the people at Rome, for the most part preserved their attachment to the mother country, and made them still a part of her strength, and a principal source of her greatness.

During this period of the kingly government, the numbers that were inrolled in the city and its territory increased from three thousand and two hundred to eighty thousand men of an age fit to carry arms *. The number of Roman tribes or wards of the city was augmented from three to twenty-one. The kingdom itself extended over the greater part of Latium, and had an intimate alliance with the whole of it. The city of Rome was become the principal resort of all the Latin confederates, the place of their meetings for devotion or pleasure, and the seat of their political consultations †.

To accommodate and secure this populous and growing community, several of the heights contiguous to their original settlement were, during the same period, successively occupied, the marshes between them were drained by excavations and works of great magnificence, of which a part is visible, and more may be supposed still entire. The city itself, instead of an earthen rampart, was surrounded with towers and battlements of hewn stone ‡.

---

* Liv. lib. i, c. 44. † Dionys. Hal. lib. iv, p. 250.

‡ The stones employed in building these original walls of Rome were said each to have been sufficient to load a cart.

The common sewers were executed at a great expence. It was proposed that they should be of sufficient dimensions to admit a waggon loaded with hay, (Plin. lib. xxxvi, c. 15.) When these common sewers came to be obstructed, or out of repair, under the republic, the Censors contracted to pay a thousand talents, or about L. 193,000, for clearing and repairing them, (Dionys. Hal.

So far it appears, that while every successive prince gratified his own ambition by subduing some neighbouring district or village, and brought an accession of riches or territory to his country, the genius of monarchy was favourable to the growth of this rising empire. But when princes became satiated with conquests abroad, or began to meditate

Change to Republic.

lib. iii, c. 67.) They were again inspected at the accession of Augustus Cæsar; and clearing their passages is mentioned among the great works of Agrippa. He is said to have turned the course of seven rivers into these subterraneous canals, to have made them navigable, and to have actually passed in barges under the streets and buildings of Rome. These works are still supposed to remain; but, as they exceed the power and resources of the present city to keep them in repair, they are concealed from the view, except at one or two places. They were, in the midst of the Roman greatness, and still are, reckoned among the wonders of the world, (Liv. lib. i, c. 38.); and yet they are said to have been works of the elder Tarquin, a prince whose territory did not extend, in any direction, above sixteen miles; and, on this supposition, they must have been made to accommodate a city that was calculated chiefly for the reception of cattle, herdsmen, and banditti. Rude nations sometimes execute works of great magnificence, as fortresses and temples, for the purposes of superstition or war; but seldom palaces, and still more seldom works of mere convenience and cleanliness, in which, for the most part, they are long defective. It is not unreasonable, therefore, to question the authority of tradition in respect to this singular monument of antiquity, which so greatly exceeds what many well accommodated cities of modern Europe have undertaken for their own conveniency. And as those works are still entire, and may continue so for thousands of years, it may be suspected that they existed even prior to the settlement of Romulus, and may have been the remains of a more ancient city, on the ruins of which the followers of Romulus settled, as the Arabs now hut or encamp on the ruins of Palmyra and Balbeck. Livy owns, that the common sewers were not accommodated to the plan of Rome, as it was laid out in his time; they were carried in directions across the streets, and passed under buildings of the greatest antiquity. This derangement indeed he imputes to the hasty rebuilding of the city after its destruction by the Gauls; but haste, it is probable, would have determined the people to build on their old foundations, or at least not to change them so much as to cross the direction of former streets. When the only remaining accounts of an ancient monument are absurd or incredible, it follows, of course, that the real account of the times in which it was erected is not known.

schemes to increase their own importance at home, their ambition took a different direction, and led them to aim at making the kingdom hereditary, and the people more subservient to their own pleasure. Under this direction of the monarch's ambition, the state, as Montesquieu observes, was likely to become stationary, or even to decline. A revolution, therefore, became necessary, in order to prolong its progress.

Such an event, we are told, took its rise from the U. C. 244. resentments of the people, excited by abuses of power, and was hastened by a momentary indignation, roused by an insult offered by a son of the king to a Roman matron. As the political evils which this revolution was intended to remedy were, the *state of degradation and weakness to which the Senate had been reduced*, the *usurpation of hereditary succession to the crown*, and the *general abuses of government*, suitable remedies were sought for to these respective evils, by restoring the numbers and power of the Senate, by abolishing the Royalty, and by erecting an elective and temporary magistracy.

The principal part of the new establishment consisted in substituting the Consuls, two annual magistrates, in place of the king. These officers were chosen in the assembly of the Centuries. The officer who was to preside at the election erected his standard, and pitched his tent in the field of Mars *, a meadow which lay on the banks of the Tiber, above the city. The people repaired to this standard in

* Campus Martius.

arms, and, distinguished by the ensigns and armour of their different classes, proceeded to make their election.

That the city might not be surprised while its defenders were thus abroad in the fields, a guard was posted, with its colours displayed, on the Janiculum, a hill on the right of the Tiber, which overlooked the river and contiguous plains. If an enemy appeared during the election, the guard had orders to strike their ensign; and on this signal every Century repaired to its post of alarm, and questions of state were suspended until the danger was removed. As it became an article of superstition, that the Centuries could not proceed in any business without having an ensign displayed on the Janiculum, it was in the power of any person, by striking the ensign, to break up an assembly of the people: and this expedient for stopping the progress of any business was accordingly employed by the opposite parties, at different times, to the end of the Republic *.

It was meant that the Consuls should succeed to all the powers of the King; and in order to enforce their authority, a penalty of five oxen and two sheep was denounced against every person who refused to obey them †. Their joint and divided command, with the limited duration of a year, which was to be their term in office, were thought sufficient securities against the abuse of their power.

The administration by this revolution, devolved on the senate and nobles. The Plebeians indeed,

* See Chap. xvii. † Plutarch, in Vit. Publicolæ.

in the formation of their new constitution, were favoured by the admission of a certain number of their order to fill up the Senate, which had been reduced by the tyranny of the late king; and the least considerable citizen was declared, in case of oppression or grievance, to have a right of appeal from any sentence or command of the magistrate to an assembly of the people at large. This was understood to be the great charter of the Roman people. But the Patricians alone could be chosen into the newly established offices of state. They alone were to furnish the ordinary succession of members to the Senate, and, by their inrolment in the first and second classes, to have a decided majority in all the meetings or *comitia* of the Centuries *; that is, in all assemblies of the people that were called to elect officers of state, to enact laws, or to judge of appeals. By these several provisions in their favour, the Patricians were in possession of a complete aristocracy, which they claimed as hereditary in their families, but which, in the concourse of such active spirits so closely compressed, they were not likely to retain, without much discontent and animosity on the part of their subjects.

* Dionys. Hal. lib. v.

CHAP. II.

Form of the republic.—Dissension of parties.—First dictator.—Secession of plebeians.—Tribunes of the people.—Their objects.—Distribution of corn.—Division of lands.—Pretensions of the plebeians.—Commission to compile laws.—Decemvirs.—Twelve tables.—Intermarriage of ranks.—Claim of the plebeians to the consulate.—Military or consular tribunes.—Censors.—Ædiles.—Præfectus annonæ.—Fortune of the republic.—Reduction of Veiæ.—Destruction of Rome by the Gauls.—Rebuilding of the city.

THE government of Rome, as it is represented after the expulsion of the king, was become entirely aristocratical. The nobles had the exclusive possession of office, without any third party to hold the balance between themselves and the people. The Consuls were the sole executive magistrates, and the only ministers of the Senate; they were understood to come in place of the king; performed all the functions of royalty; and, in the manner of the kings, to whom they succeeded, united in their own persons all the dignities of the state, those of *Judge*, *Magistrate*, and *Military Leader*.

U. C. 244.

Such, at the first institution of the commonwealth, was, both in respect of government and manners, the simplicity or rudeness of this community. The people, however, in their new situation, by the accumulation of their affairs, by the contest of their

parties, and by the wants of the public, were successively and speedily led, to a variety of establishments, in which they separated the departments of state, more equally distributed its powers, filled up the lists of office, and put themselves in a posture to wield with advantage their strength as it increased, and to avail themselves of every circumstance that occurred in their favour.

While the exiled king was endeavouring, by continual invasions, to recover his power, disputes arose between the parties who had joined to expel him * ;

---

* In these original disputes between the Patricians and Plebeians at Rome, it is implied that they frequently or commonly stood in the relation of creditor and debtor, as well as of patron and client. And we may account for this circumstance in either of two ways: First, by supposing that the client was, in some degree, tributary to his patron, as the vassal was tributary to his lord in the original state of modern nations. Dionysius of Halicarnassus has laid some foundation for this supposition, in the passage above cited. Or, we may suppose, in the second place, that the debts in question were money or effects actually borrowed by the client and lent by the patron. The first supposition is most agreeable to the manners of modern times; but the last is more likely to have been the fact in the original state of the Romans, and of ancient republics in general. Among them the great distinction of persons was that between freemen and slaves. The rich freeman was supplied with every thing he wanted by the labour of his slaves. The necessitous freeman toiled with his own hands in labouring a small piece of ground, or in tending a few beasts. He had no trade or handicraft by which to supply the luxuries of the rich, or by which, as in modern times, to make them his debtors. When he wanted their aid he was obliged to borrow; and there was, perhaps, but one occasion on which he had credit for this purpose; when he was going to war, and when he both had a reasonable excuse for borrowing, and a probable prospect of being able to pay, perhaps with interest, from the spoils of an enemy. But when his hopes failed, he might become insolvent, and exposed to all the severities of which we read such complaints in the early part of the Roman History.

There is, throughout this History, sufficient evidence that the popular party were on the side of the debtor. The prejudices of this party operated against the exaction of payment. Their influence was employed in reducing the interest of money; in having it abolished, and in having it detested, under the invidious

ſtoring the numbers and power of the Senate, by aboliſhing the Royalty, and by erecting an elective and temporary magiſtracy.

The principal part of the new eſtabliſhment conſiſted in ſubſtituting the Conſuls, two annual magiſtrates, in place of the King. Theſe officers were choſen in the aſſembly of the Centuries. The officer who was to preſide at the election erected his ſtandard, and pitched his tent in the field of Mars[1], a meadow which lay on the banks of the Tiber, above the city. The people repaired to this ſtandard in arms, and, diſtinguiſhed by the enſigns and armour of their different claſſes, proceeded to make their election.

That the city might not be ſurpriſed while its defenders were thus abroad in the fields, a guard was poſted, with its colours diſplayed, on the Janiculum, a hill on the right of the Tiber, which overlooked the river and contiguous plains. If an enemy appeared during the election, the guard had orders to ſtrike their enſign; and on this ſignal every Century repaired to its poſt of alarm, and queſtions of ſtate were ſuſpended until the danger was removed. As it became an article of ſuperſtition, that the Centuries could not proceed in any buſineſs without having an enſign diſplayed on the Janiculum, it was in the power of any perſon, by ſtriking the enſign, to break up an aſſembly of the people: and this expedient for ſtopping the progreſs of any buſineſs was accordingly em-

ployed by the oppoſite parties, at different times, to the end of the republic[1].

It was meant that the Conſuls ſhould ſucceed to all the powers of the King; and in order to enforce their authority, a penalty of five oxen and two ſheep was denounced againſt every perſon who refuſed to obey them[2]. Their joint and divided command, with the limited duration of a year, which was to be their term in office, were thought ſufficient ſecurities againſt the abuſe of their power.

The adminiſtration, by this revolution, devolved on the ſenate and nobles. The Plebeians, indeed, in the formation of their new conſtitution, were favoured by the admiſſion of a certain number of their order to fill up the ſenate, which had been reduced by the tyranny of the late king; and the leaſt conſiderable citizen was declared, in caſe of oppreſſion or grievance, to have a right of appeal from any ſentence or command of the magiſtrate to an aſſembly of the people at large. This was underſtood to be the great charter of the Roman people. But the Patricians alone could be choſen into the newly eſtabliſhed offices of ſtate. They alone were to furniſh the ordinary ſucceſſion of members to the ſenate, and, by their inrolment in the firſt and ſecond claſſes, to have a decided majority in all the meetings or *comitia* of the Centuries[3]; that is, in all aſſemblies of the

This effect of the monarchy still, in some measure, remained, so long as the exiled king was alive, maintained his pretensions, and made the united services of the people necessary to the senate. During this period the Patricians were still on their guard, and were cautious not to offend the people; but upon the death of the king, and in consequence of the security which the new government derived from this event, the nobles availed themselves of their power, and enforced their claims on the people with extreme severity. In the capacity of creditors, they imprisoned, whipped, and enslaved those who were indebted to them, and held the liberties and the lives of their fellow-citizens at their mercy. The whole body of Plebeians was alarmed; they saw more formidable enemies in the persons of their own nobility, than in the armies of any nation whatever. When the republic was attacked, they accordingly refused to arm in its defence. Many who had already suffered under the rod of their creditors, when called upon to enlist, shewed their limbs galled with fetters, or torn with the stripes which they had received by command of their merciless patrons.

These distractions, joined to the actual presence of a foreign enemy, obliged the senate to have recourse to their lately adopted expedient, of committing themselves and the state into the hands of a Dictator. And repeating this measure as often as occasion required, the people, though refractory, were awed by the aspect of so formidable a power: but in one instance, in order to mix insinuation with the terrors of such a magistracy, they made choice

of Valerius, a person whose name was already known to the Plebeians by some popular laws which they owed to his family. This officer had credit enough with the people to prevail on them to take arms, and had the good fortune to repel an enemy by whom the state was invaded: But upon his return from the war, not being able to prevail on the senate to fulfil the hopes which he had given to the people, he made a speech to exculpate himself, and laid down his power. The citizens who had fought under his banner being still in the field, and without any orders to disband, suspecting that the senate, under pretence of some war on the frontier, meant to remove them from the city, ran to their arms; and if they had not been restrained by their military oath, and the respect which they paid to the government of their country, must have entered the gates by force. But, under the impression of these motives, they fled from the walls, instead of invading them, retired beyond the Anio, and took possession of a little eminence on its bank, about three miles from Rome *, afterwards known by the name of the Sacred Hill. Their officers followed, and endeavoured to persuade them to return to their duty; but were told, that no duty was owing to a government which had withdrawn its protection, and encouraged oppression; that free citizens own no country in which they are not permitted to enjoy their freedom. "To what purpose," said Sicinius Bellutus, who was then at the head of this mutiny,

---

* ...atoribus, c. 14; the Mons Sacer.

" recall us to a city from which you have already " forced us to fly by your extortion? By what new " assurance can you persuade us to rely on a faith " which you have repeatedly broken? By what " charm can you engage us in support of a com- " monwealth, of which you will not allow us to be " members? You mean to engross all the fruits " which are to be reaped in your country, and it is " well. We shall leave you to do so, and do not " mean to interrupt your enjoyments."

This secession of a great body of the people having continued for several months, and in this time received a constant accession of numbers from the city and from the contiguous fields, threw the republic into the greatest disorder; exposed its lands to be neglected or pillaged by its own inhabitants, and ravaged by numerous enemies, who took this opportunity to invade it without opposition.

The Patricians had sufficient force in their own body, and in that of their faithful retainers, to guard the avenues of the city, and to secure it from surprise. But being reduced to great difficulties for want of their usual supplies of subsistence, and apprehending still greater from the interruption of labour and the suspension of government, they came to a resolution to negotiate with the leaders of the mutiny, and, for this purpose, raised Sp. Cassius, a person who, though of a patrician family, was in high favour with the people, to the office of consul. They agreed to mitigate the severities which they had hitherto practised against insolvent debtors, and

to release such of them as were actually in bonds, or had been destined to slavery.

With these concessions, a deputation was sent to the camp, and a negotiation was opened, in which the Plebeians obtained, not only a full acknowledgment of their privileges, but, what was of more consequence, a power of forming themselves into assemblies apart from the nobles *, and of electing annual magistrates, or representatives of their own order, to guard and watch over their separate rights. "Your Consuls," they said, "are not so much the "officers of the commonwealth, as the heads of a "faction; and, in all questions that relate to the "people, are parties rather than judges. It is rea- "sonable that we too have a head or representative "in the commonwealth, under which we may act, "at least, in our own defence."

In return to this well-advised and specious requisition, the tribunitian power was established, and with it were laid the foundations of some good, and of much harm, to the commonwealth. Great part of the last might have been prevented, if the Plebeians now in possession of a right to nominate delegates to act in behalf of their interests, had from thenceforward been content with the power of election merely, had discontinued their own collective assemblies for any other purpose, and increased the number of their Tribunes to a just representation of their whole body. The return, however, was more agreeable to the spirit of the times. The people

* Dionys. Hal. lib. vii.

were far from renouncing their right of assembling in a collective body; and, instead of a representation to support and preserve their order with steadiness and with moderation, they proceeded to elect a few leaders, who, from thenceforward, were to head every popular tumult, and to raise every wind of contention into a storm.

The Tribunes were authorised, at their first institution, to forbid, or to restrain, any measures which they thought hazardous, or injurious to the rights of their constituents, but not to propose any law, nor to move any positive resolution. They were not entitled to exercise their powers beyond the walls of Rome, or to absent themselves from the city for the whole of a single day, except in their attendance on the festival of the Latin allies, where the presence of all the Roman magistrates, without exception, was required. Though their power was merely restrictive, in this capacity it had no bounds. A single Tribune might stop the proceedings of his own body, or even of the whole people assembled, as well as the proceedings of the Senate and patrician magistrates. In the exercise of this last part of their trust, though not permitted in this age of aristocracy to mix with the senators, they had places assigned them at the doors of the senate-house, from which, as from a watch-tower, they were to observe, and on occasion to stop, the proceedings of their lords.

As the Tribunes were thus destined to withstand the exertions of power, and were supposed, on the most dangerous occasions, to expose themselves to

the axe and the sword of their adversaries, it was thought necessary to guard their persons with the most sacred fences of religion and law. For this purpose an inviolable rule was prescribed in the following terms: "Let no one offer violence to the "person of a Tribune; neither kill him, nor pro- "cure him to be killed; neither strike him, nor pro- "cure him to be struck. Let the person who of- "fends against this law be accursed; let his effects "be held sacred to pious uses, and let every one "pursue him to death."

To render this act irrevocable, a solemn oath for the perpetual observance of it was imposed, and dreadful imprecations were denounced against any person who should propose to repeal so sacred a law*; and such was the effect of these precautions, taken for the safety of the Tribunes, that, in times of the republic, persons obnoxious to public justice could not be punished, while they continued to bear this inviolable character. And the Emperors themselves, after they had removed all the other props of the republic, found, under this sacred title of Tribune, a refuge to their own crimes and oppressions, or a protection from the designs of assassins, or the resentment of those they had offended by their tyranny.

The College of Tribunes, at its institution, was not limited to any precise number of members; it consisted at first of such persons as had been most [redacted] its establishment, and continued

* Dionys. Halicar. lib. iv, p. 410.

to be filled with the most zealous partisans of the commons, the number being three or more, according as persons appeared in the way to this honour. But in process of time both the Plebeians who aspired to this distinction, and the Patricians who were jealous of it, conspired to augment the number:—The first, in order to make way for their own preferment; and the second, to the end that they might be the better enabled, on occasion, to weaken their enemies, by disuniting them, and procuring the negative of a part, to suspend the proceedings of the whole. This sacred College was accordingly augmented by degrees to ten; and a law was made to provide that the elections should not stop short of this number *.

Patricians could neither elect nor be elected into this office †, although in the midst of irregularities incident to all unformed, especially to all popular governments, some exceptions are mentioned, even to the last part of this rule. The Tribunes were at first appointed in the Curiæ, a mode of assembly in which the vote of the poorest citizen was equal to that of the most wealthy; but in which the Patricians, not only by their influence, but by holding the auspices, were supposed to have an undue advantage; and therefore, in proceeding to this election, it was thought necessary to change the assembly of the Curiæ into that of the Tribes, unawed by authority, and unrestrained by auspices, which the Patrician Augurs pronounced ‡.

* Lex Trebonia. Liv. lib. iii, c. 65. † Dionys. Hal. lib.
‡ Dionys. Hal. lib. ix, p. 65.

Such was the institution of the Plebeian magistracy, while the state yet knew of no other officer besides the Consuls and the Quæstors, of whom the last, even under the kings, had been employed as a species of commissaries, or providers for the army. The expedient was adopted by the Senate, to quiet the animosity of parties; but tended, in fact, only to render the contest between them more equal, and to multiply the subjects of dispute. The Tribunes being vested with power to assemble the people, could not long be confined to the mere negative with which they were at first intrusted; nor was it easy, on every occasion, to distinguish the measures of attack from those of defence; and the party of the Plebeians, with these officers at their head, were then in a posture, not only to preserve their own rights, but likewise to gain to their order continual accessions of privilege and power. Happily for the state, there was yet much ground of this sort to be gained for the people, without transgressing the bounds of good order, or encroaching on the authority of equitable government.

The popular leaders in this career had to break through the bar of hereditary distinction, which, contrary to the genius of republic, it was pretended, no personal merit and no measure of ability could remove. One of the first steps they made in pursuit of this object, was to preclude every other power in the state from a negative on their own proceedings.

was enacted, by the authority of one, under pain of death, or of ould interrupt a Tribune while

he was speaking to the people *. Being thus provided against interruption, as they were by a former law against violence to their persons, they not only took up the complaints of their constituents, they suggested new claims to be made by them, and, at every succession to office, endeavoured to signalize their term by some additional establishment for the benefit of the commons: They even interrupted the state in its councils and military operations, and almost in every instance hung upon the wheels of government, until the grievances they complained of were redressed, or the demands they made were complied with.

In order to increase the number of Plebeian officers, whose aid the Tribunes alleged was necessary to themselves, they, soon after their own institution, U. C. 260. procured that of the Ædiles, who were to inspect the markets, and have charge of the public buildings and public shows. Being subordinate to the Tribunes, as well as to the Consuls, these officers acted, upon occasion, in what related to the policy of the town, as assistants to both †.

As Rome was a place of arms, and subsisted in some measure by public magazines; as settlements won from the enemy were often to be disposed of to citizens; as its institutions were yet new and incomplete; and as the Patricians still claimed an exclusive right to all the dignities of state, there was much to occupy the cares of the Public,—the distribution of corn from the gran[redacted]

* Dionys. Hal. lib. vii.

conquered lands, the defects of the laws, and the yet arbitrary proceedings of the magistrates.

The qualification of candidates for the office of Consul furnished, during some ages, the subject of continual debates, and frequently exposed the parties concerned in them, if they escaped the sword of an enemy from abroad, to perish by their own dissensions at home. Their civil and military transactions were constantly blended together. The Senate frequently involved the state in war, in order to suspend its intestine divisions; and the people as often took occasion, from the difficulties in which the community was involved by its enemies, to extort a compliance with their own demands.

The first subject of contention that arose after the *institution* of the Tribunes, was a sequel of the troubles which had preceded this famous establishment. The secession of the people took place in autumn, the usual seed-time in Italy; and the labours of that season having been accordingly interrupted, the city was threatened with famine; and the Senate exerted all its industry in guarding against this evil *. After the public graparies were filled for this purpose, it became a question, upon what terms, and at what price, the poorer citizens should be supplied from thence. Their pretended insolence in the late mutiny, and the part which they themselves, by suspending the labours of the field, had taken, in bringing on the distress with which they were menaced, were in this delibera-

* Dionys. Hal. lib. vii.

tion fully stated against them. The opportunity was thought to be fair, to recall the several concessions which had been extorted from the Senate, and, in particular, to oblige the people to part with their tribunes, and to return within the former bounds of their duty.

Such was the substance of a contumelious speech, delivered in the senate by the celebrated Caius Marcius Coriolanus. The younger nobility applauded his sentiments; but the greater part of the senate, having recently escaped from a popular storm, were unwilling to engage themselves anew in the same dangerous situation. In order, therefore, to appease the people, who were greatly incensed at the proposal which had been made to subdue them by famine, the senate agreed to deliver corn from the public granaries, at a price below that of the most plentiful season. And, by this proceeding, for the present pacified the Tribunes, but at the same time fostered their presumption, and encouraged them to meditate still further demands. The distress with which their constituents had been threatened was prevented, but the insult they had received from Caius Marcius was not avenged; and they cited him to appear before the tribunal of the People, to answer for his conduct, and submit to the party he had offended. The Senate and Patricians were disposed to protect him; but, trusting that by the majority of their votes they might be able to acquit him in the *comitia* of the Centuries, the only assembly before which, from the time of its first
pital charge had been hitherto

they suffered the trial to proceed. In this, however, they were disappointed. The Tribunes insisted, that in this trial the people should assemble in their Tribes; and having prevailed in this previous question, the accused, as being already condemned by this determination relating to the form of his trial, withdrew from his sentence *.

Coriolanus, in resentment of this prosecution, which forced him into exile, joined the enemies of his country, and by increasing the alarm of war abroad, helped to suspend for a while the animosities of which he himself had furnished the occasion at home. The contest in which the parties had been engaged by his means ended in his own exile, and was not attended with any other political effect; but it merits a place in these observations as a proof of the great influence which the plebeian party, under its new leaders, had acquired, and as an evidence of the singular state of the Roman policy, by which, in the uncertain choice of different modes of assembly, for the exercise of sovereign power, the very form of the government itself was left undetermined, until the occasion occurred on which it was to act.

U. C. 262.

The assembly of the Centuries formed an aristocracy, that of the Tribes a democracy. They did not partake in the sovereignty by any determinate rule, but each of them occasionally seized upon the whole; and, instead of balancing each other by regular checks and interruptions, threatened to ren-

* Dionys. Hal. lib. i, p. 469.

der the administration of the republic a continual scene of contradictions and inconsistencies. Such at least is the judgment which we are tempted, in speculation, to pass on this singular constitution, although, in the sequel of this history, it will appear to possess, at least, one of the highest political advantages, in being the most excellent nursery of statesmen and warriors, and in furnishing the most conspicuous examples of national ability and success.

The calm which the approach of Coriolanus, at the head of an army of Volci, produced within the city, was of no longer duration than the alarm which produced it. As soon as the external enemy withdrew, the parties within resumed their disputes; but on a subject which was still more important than that which had recently employed them, and which, continuing to be moved at intervals, served to the last hour of the republic as an object of popular zeal, or furnished a specious pretence, which ambitious and designing men continually employed to captivate the ears of the poor. This was the most popular of all propositions,—an equal division of land property, known by the name of the Agrarian Law.

While the Romans were making their first acquisitions of territory, their conquests were understood to be made for the people, and were accordingly divided among them, or given to those who had not a sufficient provision for the subsistence of their families *. But of late, during a considerable period,

* Dionys. Hal. lib. ii.

while the republic barely withstood the attacks of the exiled king, or recovered the losses sustained in its wars with the numerous enemies that supported him, she had either made few acquisitions of this sort, or, suitably to the growing disparity of ranks, which, though not necessary in very small republics, becomes so in proportion as nations extend, suffered the conquered lands to pass by connivance, occupancy, or purchase, into the hands of powerful citizens, who made use of these opportunities to appropriate estates to themselves.

The Tribunes of the people had not yet begun to make their complaints on this subject, when they were anticipated by the Consul Sp. Cassius, who, being already in high favour with the popular party, continued to flatter the passions of the inferior class, and is said to have aimed at an improper and dangerous influence in the State. He affected great zeal for the rights of the poorer citizens, and proportional indignation against those who engrossed all the means of their support. He complained, in particular, of the improper use which had been recently made of the conquered lands, by suffering them to become the property of persons who were already too rich. Having himself made some conquests, he shewed how the lands of the republic ought to have been disposed of, by making an equal division of his own acquisitions among those who were necessitous or ill supplied in their lots *. He obtained an act of the people to appoint three

U. C. 267.

* Liv. lib. ii. c. 41.

commissioners to inquire into the abuses which had been committed in the disposal of lands acquired from the enemy, and to consider of the proper corrections.

The Senate, and the Patricians in general, were greatly alarmed; most of them had possessions that seemed to fall within the object of this inquiry. The popular party alleged, that conquered lands being acquired by the joint labours, and at the common hazard of all the citizens, should be equally divided among them. The Patricians contended, that these levelling principles led to confusion and anarchy; that, in a state of which all the territory was actually, and within a few centuries, acquired by conquest, these maxims could not be applied without affecting the subordination of ranks and the subversion of government, as well as of property.

In this contest Cassius appeared to have the advantage of numbers on his side; and if he had confined his views to the division of lands, under which he was said to disguise a more dangerous intention, the Senate and Nobles must at least have agreed to find settlements for considerable numbers of the people, in order to elude his more general demands. But while Cassius alarmed the rich with danger to their property, he at the same time alarmed every citizen with danger to his personal consequence, by offering the freedom of the city to aliens, who, at his summons, were crowding from all the cantons of Latium to vote in the assembly. His colleague opposed this measure.

the present, was saved from the intrusion of strangers. But the attempt to receive them gave offence to the people, as well as to the Senate; and the unhappy author of it, in order to regain the favour of his party, proposed a resolution, not only to make a gratuitous distribution of corn, but even to refund what had been formerly paid by any citizen at the public granaries. This proposal too was interpreted to his prejudice, and raised a suspicion that he meant, with the aid of aliens and of indigent citizens, to usurp the government. On this supposition different parties in the State, and even the Tribunes themselves, combined against him, and he was condemned to suffer the punishment of treason.

This appears to have been the first project after the State began to have its demesne lands, and after private estates began to be accumulated, that was made to divide all territorial acquisitions in equal shares among the people. And though the author of it perished in the attempt, the project itself was entailed on the commonwealth, as a subject of dissension, and became the source of repeated demands on the part of the indigent citizens.

The Tribunes had no sooner accomplished the ruin of Cassius, in which they concurred with the Senate, than they insisted for the execution of the law he had framed, and for the nomination of three commissioners already resolved on, for the division of conquered lands. They protected the people in refusing to serve the State in its wars, until this demand should be granted. And having absolute and irresistible power to stop all proceedings in the city,

they prevented all military levies within the walls, obliged the Consuls, during a certain period, to erect their standard in the country, and there to force the herdsman and labourer to inlist, by driving away the cattle, and distraining the effects of those who were unwilling to obey them *.

In these exertions of their political strength, the parties at Rome learned by degrees to form their different plans, whether of administration or of opposition.

The Senate endeavoured to furnish the people with employment abroad, to amuse them with triumphal processions, to gratify them with partial settlements and allotments of land; and, in order to stop the violence of the popular leaders, they continually endeavoured, by the negative of some one of their own order, to divide the College of Tribunes.

These leaders of the people, in their turn, endeavoured, by oaths and private engagements, to secure the unanimity of their own body, or to bind the minority to follow the decision of the greater number. They taught the people to despise the partial settlements, which, to pacify or to suspend their importunities, were offered to them at a distance from Rome. They taught them to aim at a higher object, the political consequence of their own order, and an equal share in the government of their country. Turbulent citizens were honoured in proportion to the part which they took in support of this

* Dionys. Hal. lib. viii. Ibid. N

popular cause; and were successively raised to the office of Tribune, in reward of the animosity they had occasionally shewn to the Senate, and of the courage with which they had, in any case, withstood the authority of the magistrate, which it was now become a merit to brave.

At every succession, accordingly, the new Tribunes endeavoured to signalize their term in office, by suggesting some advantage to the Plebeians; and, in the course of their struggles, obtained many regulations favourable to their interest as a separate order in the State.

Among these we may reckon a law, of uncertain date, to perpetuate in the Assembly of the Tribes, to the exclusion of the Curiæ, the right of electing the Tribunes *.

U. C. 282. Another, to exclude the Patricians entirely from the Assembly of the Tribes †.

The Agrarian law itself they frequently moved, in the interval of other claims and pretensions, or subjoined to such claims, in order to alarm the Patricians, and to force them, under apprehension of this principal object of their fears, to a compromise, or to a compliance with some other demand.

To the other circumstances, which never failed to rekindle the political flames, may be joined the complaints which arose from arbitrary proceedings of the magistrate, and from the defect of judicial forms in the commonwealth. The Consuls had succeeded to the Kings, as sole Officers of State, both civil and

* Dionys. Hal. lib. ix. Liv. lib. ii, c. 56. † Liv. lib. ii, c. 60.

military; and had not sufficient rules or limitations prescribed to them in the exercise of their power *. This defect, which is common in the administration of rude governments, is for the most part supplied by degrees. Evils are corrected in proportion as they are felt, and the rational proceedings of one age are adopted as precedents to regulate the next. But, in the present instance, at Rome, the popular party, it is said, demanded at once a system of jurisprudence and a complete body of laws. Being opposed by the Patricians, they came to consider the measure as an object of party; and they pressed the acceptance of it, as much from animosity to the magistrate, as from a desire to secure public justice, or to regulate the forms of judicial procedure. The Patricians considered the project as an attack on their power; and, however innocent or reasonable it may have been, endeavoured to prevent the execution of it by all the arts of evasion and delay, which they had employed to elude the division of conquered lands, or to frustrate any other the most factious purpose of their adversaries.

In this contest the powers and artifices of both parties were fully exerted. To the great authority and address of the nobles, the people opposed an ardour that was not to be cooled by delays, to be discouraged by partial defeats, or restrained by scruples of morality in the choice of means for the attainment of their end. From experience in this, as in many other instances, may be learnt,

* Liv. lib. iii, c. 9. Dionys.

the few who rest their cause on personal consideration and respect, may prescribe to themselves; the more popular faction opposed to them are too apt to think, that the rules of veracity and candour may be dispensed with, and that the means of deceit and violence may, even with applause, be employed in their own favour. With less honour and dignity to maintain than their adversaries, they are less afraid of imputations that detract from either; and their leaders, supported by the voice of the more numerous party, are less apprehensive of evil fame. In this contest, accordingly, fictitious plots and conspiracies were fabricated on the popular side, and fictitious designs against the liberties of the people were imputed to the Patricians, in order to render them odious, and to deter them from appearing in support of their real pretensions *.

In the issue of these disputes, the Senate, despairing of being able to divert the people from their purpose, agreed to the nomination of three commissioners, who should be sent into Greece to make a collection of such laws as, being found salutary in that country, might be transferred to Rome. Soon after the return of the commissioners, the Senate approved their report, and concurred in the nomination of the famous Decemvirs to compile a body of laws for the commonwealth.

U. C. 302. The Decemvirs were appointed merely to make the draught of a new code, and to propose matter for the consideration of the Senate

* Dionys. Hal. lib. x.

and People, from whom alone the propositions could receive the authority of laws; yet the persons named for this purpose, as the history bears, had credit enough with the people to be vested with a temporary sovereignty, in which they superseded the authority of the Senate, as well as that of the Consuls, and had unlimited power over the lives and fortunes of their fellow-citizens *. Before their commission expired, they presented a number of laws, engraven on ten tables or plates, and containing a summary of the privileges to be enjoyed by the People, of the crimes to be punished by the magistrate, and of the forms to be observed in all judicial proceedings. They, at the same time, informed the people, that their plan was still incomplete, that many useful additions were yet to be made; and upon the faith of these declarations, obtained for another year the renewal of their powers, with a change of some of the persons merely who were named in the commission.

In this second year of the Decemvirs' appointment, two more tables or plates were added to the former ten; a circumstance from which this part of the Roman law has derived its name. This supplement, as well as the former body of laws, was received with great avidity, and the twelve tables continued to be respected at Rome, as the ancient titles by which men are supposed to hold any valuable rights are revered in all nations †. No complete

* Dionys. Hal. NO. 505.

† Livy calls the Twelve Tables *Fons omnis publici privatique juris.* Tacitus calls them *Finis equi juris.* And Crassus, in the Dialogue of Cic. de Orat. is made to say, *Bibliothecas omnium philosophorum, unus mihi videtur tabularum libellus superare.* De Orat. lib. i, c. 44.

copy of them being transmitted to modern times, we cannot fully judge of their merit; but from the fragments remaining in authors who occasionally cite them *, this code appears, in some clauses, to have been a first draught of the regulations which are necessary in the establishment of property, and in making private parties answerable to public judicatures in all their disputes.—The property of land was established by prescription, if fair and unquestioned for two years, and that of other effects by a similar prescription of one year.—Any controversy concerning the boundaries of land-property was to be determined by arbiters or jurymen appointed by the magistrate.—Parties cited to a court of justice were not at liberty to decline attendance.—Judgment in capital cases was competent only to the Assembly of the People in their Centuries; but this supreme Tribunal might delegate its powers by a special commission.

In considering this Code as a record of ancient manners, the following particulars are worthy of notice.

The distinction of Patrician and Plebeian was so great, that persons of these different orders were not permitted to intermarry.

The father being considered as the absolute master of his child, had a right even to kill, or expose him to sale †.

---

* Vid. Gravini de Origine Juris Civilis. Pighii Annal.

† The clause in the Twelve Tables relating to the father's power of sale, contains a singular limitation. *Vendendi filium patri potestas esto. Si pater filium*

The interest of money was limited to one *per cent.* * ; and while a thief was condemned to refund

---

ter venundavit, filius a patre liber esto. "The father may sell his child, but if he "has sold him three times, the child shall be free, (Dionys. lib. ii, c. 27, p. 97). This law, in its first appearance, carries an implication that, until this restriction was applied, fathers practised selling their children times without limit. No law, it may be said, is made against crimes altogether unknown; and, in general, what people do, may be inferred from what they are forbid to do; and yet the clause, considered in this light, is full of absurdity. The child, to be repeatedly sold, must have repeatedly disengaged himself from slavery. After being twice sold he must have put himself a third time in the father's power; and to render such cases the object of law in any age or country whatever, the great law of parental affection must have been strangely suspended. The question, therefore, may be submitted to Civilians and Antiquaries, whether it be not easier to suppose a mistake in the tradition or in the record, or an unnecessary precaution in the compilers of this Code, than such a frequency of the circumstances presumed in this clause, as would make the offence a proper object of legislation in any age or nation whatever; and whether this law may not have been, in its original intention, what it became in the subsequent applications of it, a mere precaution in favour of the parent, that he should not be deprived of his child by surprise, and that unless he had performed the ceremony of vendition three times, he was not supposed to have sold him at all. The form by which a Roman father emancipated his son, consisted of a sale three times repeated. The father sold him and received his price. The buyer once and again re-delivered the child, and had his price returned. After the third purchase the buyer manumitted him by a singular ceremony prescribed in the laws.

* Nam primo duodecim tabulis sanctum, ne quis unciario ($\frac{1}{12}$ per mon. or 1 *per cent. per ann.*) fœnore amplius exerceret, cum antea ex libidine locupletium agitaretur; dein rogatione tribunitia ad semuncias redacta; postremo vetitæ usuræ; multisque plebiscitis obviam itum fraudibus, quæ toties repressæ miras per artes rursus oriebantur. Tacit. Ann. lib. vi.

Montesquieu ventures to reject the authority of Tacitus in this instance, and supposes that the law which he ascribes to the Decemvirs had no existence until the year U. C. 398; when, according to Livy, lib. vi, it was obtained by the Tribunes M. Duellius and L. Menenius, in favour of the people. Haud æque patribus læta, insequente anno C. Martio et Cn. Manlio Coss. de unciario fœnore a M. Duellio, L. Menenio tribunis plebis, rogatio perlata. It is indeed probable that many antiquated laws were referred to this legendary Code of the Twelve Tables on no better authority than that of their antiquity. And so great a reduction of interest was more likely to come from Tribunes acting in favour of

only the double of what he had stolen, the usurer was condemned to pay fourfold what he had taken for interest of money. But bankruptcy was treated as a crime, and without any distinction of fraud or misfortune, exposed the insolvent debtor to the mercy of his creditors, who might put him to death, dissect or quarter him, and distribute his members among them *.

Mixed with regulations of so extraordinary a cast, there wanted not proofs of reason and wisdom. Piety to the gods was held forth as a pledge of innocence and purity of manners †: Arbitrary rites, indeed, or strange objects of worship, were not to be tolerated ‡.

---

the people, who were generally the debtors, and who soon after procured the entire abolition of the interest of money, than from the Decemvirs, who, being of the aristocratical faction, took part with the creditors.

* The clause in this Code respecting insolvent debtors, is equally strange with that which respects the power of the father, and shews no less upon what atrocious ideas of what they were to permit, as well as of what they were to prohibit, the compilers of this Code proceeded. Their ideas in either, it is probable, were never realized. Livi says, that debtors were *nexi et traditi creditoribus* (Liv. lib. ii. c. 23, and 27). But it is affirmed with great probability of truth, that no creditor ever took the full benefit of this law against his insolvent debtor, (Aul. Gell. lib. xx. c. 1). Laws that result from custom, and are suggested by real occasions, are genuine proofs of the reigning manners; but laws enacted by special lawgivers, or commissioners, only indicate what occurs to the fancy of the compiler, and what are the prohibitions he is pleased to suppose may be necessary.

† Ad Deos adeunto caste. Pietatem adhibento.

‡ Cicer. de Legibus, lib. ii. c. 8. In many parts of this performance, Cicero is supposed to restore and to comment on the Laws of XII. Tables; and on this subject in particular Atticus is made to observe, that the supposed constitution does not much differ from what were reputed the laws of Numa, and the early practice of Rome.

The people were required to build their houses two feet asunder, to leave eight feet for the ordinary breadth of streets and highways, and double this breadth at the turnings.

They were forbid to dress or to polish the wood which was to be consumed in funeral piles, or to express their sorrow for the dead, by wounding their flesh, tearing their hair, by lamentable cries, or any indecnt gestures of grief.

Such are a few of the more singular and characteristical clauses which are mentioned among the fragments of the Twelve Tables. The ardour of the people to obtain this Code, and the unlimited powers which they intrusted to the commissioners appointed to frame it, had nearly cost them their liberty; and in this manner put a stop to the progress of their commonwealth. The Two additional Tables, as well as the first Ten, having been posted up for public inspection, and having been formally enacted by the Senate and People, the object of the Decemvirs' commission was obtained, and it was expected that they were to abdicate their power; but the principal persons vested with this trust, having procured it with a view to usurp the government, or being corrupted by two years' uncontrolled dominion in the possession of it, refused to withdraw from their station, and boldly ventured to persist in the exercise of their power after the time for which it was given had elapsed.

At Rome, the functions of the magistrate were supposed to determine by his own resignation, and the republic might suffer a peculiar inconveniency

from the obstinacy of particular persons, who continued to retain the powers of office after the period assigned them by law was expired. The Decemvirs took advantage of this defect in the constitution, continued to hold their commission beyond the period for which it was given, took measures to prevent the restoration of the Senate and the assemblies of the people, or the election of ordinary magistrates, and, even without employing much artifice, got the people to acquiesce in their usurpation, as an evil which could not be remedied. And the usurpers, in this as in other instances, seemed to meet with a submission that was proportioned to the confidence with which they assumed their power. The public wrongs, which no one was peculiarly called upon to redress, appeared to make little impression; but a barbarous insult offered to a private family rekindled or gave occasion to the breaking out of a flame, which injuries of a more dangerous nature only seemed to have smothered.

Appius Claudius, one of the usurpers, being captivated with the beauty of Virginia, the daughter of a respectable citizen, and already betrothed to a person of her own condition, endeavoured to make himself master of her person, by depriving her at once of her parentage and of her liberty. For this purpose, under pretence that she was born in servitude, and that she had been stolen away in her infancy, he suborned a person to claim her as his slave. The Decemvir himself being judge in this iniquitous suit, gave judgment against the helpless party, and ordered her to be removed to the house

of the person by whom she was claimed. In this affecting scene, the father, under pretence of bidding a last farewell to his child, came forward to embrace her; and, in presence of a multitude of people, having then no other means to preserve her honour, he availed himself of the prerogative of a Roman father, and stabbed her to the heart with a knife. A general indignation instantly arose from this piteous sight, and all parties concurred, as at the expulsion of the Tarquins, to deliver the Republic from so hateful a tyranny *.

U. C. 304.

No more was required in this case to effect a revolution but the will to produce it; and the Senate and Patrician administration being re-established by the cheerful concurrence of the Plebeians, and the former government being restored with the consent of all parties, a disposition to mutual confidence ensued, which led to the choice of the most popular persons into the office of Consul, and procured a ready assent from the Nobles to every measure which tended to gratify the people.

The danger which had been thus recently experienced from the abuse of a legislative commission, produced a resolution to restrain, under the severest penalties of confiscation and death, any person from ever proposing such a measure. The consecration of the persons of the Tribunes, which, under the late usurpation, had almost lost its effect, was now renewed, and extended, though in a meaner degree, to the Ediles and inferior officers, who were

* Liv. lib. iii, c. 57. Dionys. Hal. fine.

supposed to act under the Tribunes in preserving the rights of the People.

The Patricians likewise consented to have the acts of the Senate formally recorded, placed in the temple of Ceres, and committed to the care of the Ediles *. This was in fact a considerable diminution of the power of the Consuls, who had been hitherto considered as the keepers and interpreters of the Senate's decrees, and who had often suppressed or carried into execution the acts of this body at pleasure.

But the most striking effect, ascribed to the present unanimity of the citizens, was the ease with which the Plebeian assemblies, hitherto supposed competent only to make bye-laws for themselves, were permitted to extend the authority of their acts to all the different orders of the commonwealth. U. C. 304.

The *Comitia*, or assemblies of the Roman people, as may be collected from the past observations, were now of three denominations; that of the Curiæ, the Centuries, and the Tribes. In assemblies of the first and second denomination, every citizen, whether Patrician or Plebeian, was a constituent member; and laws were enacted relating to the policy of the state in general, as well as to particular departments, and to separate bodies of men. The Centuries disposed of civil offices, and the Curiæ of military commands †. In the assembly of the

* Liv. lib. iii.

† Liv. lib. v, c. 52. Lib. ix, c. 38. Cic. ad Famil. lib. i, ep. 9. Liv. lib. vi, c. 21.

Tribes, composed of Plebeians alone, the Tribunes were elected; and acts were passed to regulate the proceedings of their own order, beyond which, in the ancient times of the republic, their authority did not extend. But as the Senate denied the right of the Tribes to enact laws that should bind the community at large, the Plebeians, in their turn, disputed the legislative authority of the Senate. The Centuries alone were supposed to enjoy the right of enacting laws for the commonwealth *.

This distribution, however, was partial, and tended to lodge the sovereignty of the State in the hands of the Patricians, who, though no more than a part of the people, were enabled, by their undoubted majority in the assembly of the Centuries, as well as in the Senate, to give law to the whole.

Equity and sound policy required that the Plebeians should have a voice in the legislature of a commonwealth of which they made so considerable a part. This privilege appeared to be necessary, in order to secure them against the partial influence of a separate order of men. They accordingly obtained it; but in a manner that tended to disjoin, rather than to unite into one body, the collateral members of the State. Instead of a deliberative voice, by which they might concur with the Senate and *Comitia* of the Centuries, or by which they might control and amend their decrees, they obtained for themselves a separate and independent power of legisla-

* These were termed *Leges*; the resolutions of the Senate were termed *Senatus Consulta*, and those of the Tribes, *Plebiscita*.

tion, by which, as a counterpoise to the Patrician acts, which might pass in the Centuries without their concurrence, they could, on their part, and without the presence or consent of the nobles, make Plebeian acts that should equally bind the whole community *.

U. C. 304.

This rude and artless manner of communicating a share of the legislature to the inferior order of the people, tended greatly to increase the intricacy of this singular constitution, which now opened, in fact, three distinct sources of legislation, and produced laws of three different denominations; decrees of the Senate †, which had a temporary authority; acts of the Centuries ‡; and resolutions of the Tribes ‖; and by these means undoubtedly made way for much intestine division, distraction, and tumult.

So far animosity to the late usurpation had united all orders of men in the measures that followed the expulsion of the Decemvirs; but the spirit of cordiality did not long survive the sense of those injuries, and that resentment of a common oppression from which this transient unanimity arose. The Plebeians had, with consent of the Senate, removed some part of the establishment, in which the Patricians were unequally favoured; but they bore with the greater impatience the disadvantages under which they continued to labour, and by which they were still condemned to act a subordinate part in the

* Dionys. Hal. p. 506. Liv. lib. iii, c. 55. † Senatus Consulta.
‡ Leges. ‖ Plebiscita.

commonwealth. They were still exclud[illegible] office of Consul, and from that of the [illegible] They were debarred from intermarriag[illegible] nobles by an express law, which had be[illegible] lest the sexes, from passion, forgetting the distinction of ranks, should in this manner unite their families together; but being now, in some measure, by the late act in favour of the *Comitia* of the Tribes, become joint or rival sovereigns of the State, they could not long acquiesce in these unequal conditions.

U.C. 308. A few years after the restoration of the Commonwealth, Canuleius, a Plebeian, being one of the Tribunes, moved the celebrated act which bears his name *, to repeal the clause of the Twelve Tables which prohibited the intermarriage of Patricians and Plebeians. The other nine Tribunes joined at the same time in a claim of more importance,—that the office of Consul should be laid open to all the different orders of the commonwealth, and might be held by Plebeians, as well as Patricians †. The Senate, and the whole order of nobles, having for some time, by delays, and by involving the State, as usual, in foreign wars, endeavoured to suspend the determination of these questions, were at length obliged to gratify the people in the less material part of their pretensions, respecting the intermarriage of different ranks, in order, if possible, to pacify them on the refusal of the more important claim.

---

* Lex Canuleia. Liv. lib. iv, c. 1. † Dionys. Hal.

which related to their capacity of being elected into the office of Consul.

To elude their demands on this material point, it was observed, that of the sacrifices and other duties belonging to the priesthood, which, by the sacred laws of religion, could be performed only by persons of noble birth, many were to be performed by the Consul, and could not, without profanation, be committed to any person of Plebeian extraction; and that, by this consideration alone, the Plebeians must be for ever excluded from the dignity of Consul. Superstition, for the most part, being regulated by custom alone, no change can be made in the custom, without appearing to change the religion that is founded upon it. This difficulty accordingly put a stop, for a while, to the hasty pace with which the Plebeians advanced to the Consulate: but the obstruction was at length removed, (as many difficulties are removed in human affairs), by a slight evasion, and by the mere change of a name. The title of Consul being changed for that of Military Tribune, and no sacerdotal function being included in the duties of this office, Plebeians, though not qualified to be Consuls, were allowed to offer themselves as candidates, and to be elected Military Tribunes with consular power. In this manner the supposed profanation was avoided, and Plebeians, under a new appellation, were allowed to be qualified for the highest place in the State. The mere privilege, however, did not, for a considerable time, enable any individual of that order to attain to the honour of first magistrate of the commonwealth.

U. C. 309.

The Plebeians in a body had prevailed a[illegible] law which excluded them; but individua[illegible] rate candidates for office, still yielded the [illegible] to the Patrician competitor; or, if a Pleb[illegible] likely to prevail at any particular election of Military Tribunes, the Patricians had credit enough to have the nomination of Consuls revived in that instance, in order to disappoint their antagonists.

Together with the separation of the military and sacerdotal functions, which took place on this occasion, another change, more permanent and of greater moment, was effected. Ever since the institution of the Census, or muster, the inrolment of the people was become a principal function of the executive power. In the first ages it belonged to the King, together with all the other prerogatives of State. In the sequel, it devolved on the Consuls; and they accordingly, at every period of five years, upon a return of the muster, could dispose of any citizen's rank, assign him his class, place him on the rolls of the Senate, or on that of the Knights, or strike him off from either; and, by charging him with all the burdens of a subject, while they stripped him of the privileges of a citizen, deprive him at once of his political consequence *, and of his state as a Roman †.

These powers were actually exerted, not merely held up into public view to awe the people. The magistrate took an account of every citizen's estate,

---

* Liv. lib. iv, c. 24.

† The citizens who came under this predicament were termed Ærarii.

inquired into his character, and assigned him his place; promoted him to the Senate or to the Knighthood; degraded or disfranchised, according as he judged the party worthy or unworthy of his freedom, of the rank which he held, or of that to which he aspired in the commonwealth *.

So important a trust committed to the discretion of an officer elected for a different purpose, took its rise in the simplicity of a rude age; but continued for a considerable period without any flagrant examples of abuse. It was, nevertheless, that branch of the consular magistracy which the Patricians were least willing to communicate or to share with the Plebeians. While they admitted them, therefore, to be elected Tribunes with consular power, they stipulated, that the charge of presiding in the Census, or musters, should be disjoined from it; and that, under the title of Censors, this charge should remain with persons of Patrician birth †. They contended for this separation, not with a professed intention to reserve the office of Censor to their own order, but under pretence that persons invested with the consular power, being so frequently employed in the field against the enemies of the commonwealth, could not attend to affairs of the city, or perform all the duties of Censor at their regular periods.

U. C. 310.

But whatever may have been the real motive for separating the department of Censor from that of Consul, the change appears to have been seasonably

* Liv. lib. iv, c. 24. † Lib. lib. iv, c. 8.

made; and may be considered as a striking [illegible] of that singular felicity with which the Ro[illegible] some time, advanced in their policy, as [illegible] their fortunes. Hitherto the Roman Consul, [illegible] a warrior, was chiefly intent on the glory he was to reap in the field, and to gain at the expence of the enemies of the State. He disdained to seize the advantages which he had in his power, in the quality of a clerk or accountant intrusted with the Census, or inrolment of his fellow-citizens; and so little apprehension was entertained of any such abuse, that no peculiar attention appears to have been given to the choice of Consuls on the year of the Census, as being then vested with any dangerous measures of power. But considering the height at which party disputes were then arrived, and the great consequence of a citizen's rank and place on the rolls, it was no longer safe to intrust in the same hands the civil rights of the People, and the executive powers of the State. The Consul being frequently raised to his station by party intrigues, and coming into power with the ardour of private ambition and of party zeal, might easily, in the manner of making up the rolls of the people, have gratified his own predilections or resentments, or that of his faction. The office of Consul, in the department of military command, was naturally the province of youth, or of vigorous manhood; but that of Censor, when disjoined from it, fell as naturally into the hands of persons of great authority and experienced age; to whom, in the satiety of brighter honours, the people might safely intrust the estimate of their fortunes,

and the assignment of their rank. In such hands it continued, for a considerable period, to be very faithfully discharged; and by connecting the dignities of Citizen, and the honours of the State, with private as well as public virtue, had the happiest effects on the manners of the People.

The number of Censors, like that of the Consuls, was limited to two; but that of the Consular Tribunes was left undetermined, and at successive elections was augmented from three to eight. This has given occasion to some historians, who are quoted by Livy, to ascribe the institution of this office, not to the importunity of the Plebeian party, but to the exigencies of the State; which being assailed by numerous enemies, and not having as yet devised the method of multiplying commanders, under the titles of Proconsul, or Prætor, were led to substitute officers of a different denomination, whose numbers might be increased at discretion. It is indeed probable, that, in the progress of this government, new institutions, and the separation of departments, were suggested no less by the multiplicity of growing affairs, than by the interests of party, or by the ambition of separate pretenders to power. In the first of those ways, we are led to account for the institution of the Plebeian Ediles, already mentioned; for that of the Præfectus Annonæ, or Inspector of the Markets, together with the additions that were, in the course of these changes, continually made to the number of Quæstors.

The Quæstors had been long established at Rome; they had charge of the public funds, and followed

the Kings and the Consuls as commissaries or providers for the army in the field. During the busy period which we have been now considering, their number was augmented from two to four; and the places were filled, for the most part, with Patricians, though not limited to persons of this rank.

U. C. 333.

The Præfectus Annonæ, or Inspector of the Markets, was an officer occasionally named, on a prospect of scarcity, to guard against famine, and to provide for the wants of the people. Rome was in fact a place of arms, or a military station, often depending as much for subsistence on the foresight and care of its officers, as on the course of its ordinary markets. Without a proper attention to this particular on the part of the State, the People were exposed to suffer from scarcity. On the approaches of famine, they became mutinous and disorderly, and were ready to barter their freedom, and the constitution of their country, for bread. During the famine which first suggested the separation of this trust from that of the ordinary officers of state, Sp. Mælius, a Roman Knight, being possessed of great wealth, engrossed great quantities of corn; and having it in his power to supply the wants of the poor, had formed a dangerous party, and, by their means, aimed at dominion in the commonwealth. The Senate was alarmed, and, as in the most dangerous crisis of the State, had recourse to the nomination of a Dictator. Mælius being cited to appear before this officer, and having refused to obey, was put to death.

U. C. 313.

The care of supplying the people with corn, which had been at this time committed to L. Minucius, was from thenceforward intrusted to citizens of the first rank, and the office itself became necessary in the political establishment of the commonwealth.

Hitherto we have considered the Roman republic as a scene of mere political deliberations and councils, divided at home, and seemingly unable to unite their forces abroad. The State, however, presented itself to the nations around it under a very different aspect: To them it appeared to be a mere horde of warriors, which made and preserved its acquisitions by force, and which never betrayed any signs of hesitation or weakness in the measures that were required for its safety. In the transition from monarchy to republic, indeed, there seems to have been a temporary intermission of national exertions. Private citizens, annually raised to the head of the republic, did not with their elevation acquire the dignity of princes; they did not command the same respect from their fellow-citizens at home, nor had the same consideration from rival nations abroad. The frequent dissensions of the people seemed to render them an easy prey to their enemies. During the life of Tarquin many powers united against them in behalf of the exiled king. They were stripped of their territory, confined to the walls of their city, and deserted by their allies *. The fortune of the State seemed to fall with its mo-

* Dionys. Hal. lib. v.

narchy. The event, however, belied these appearances, and the power of the annual magistracy soon became more formidable abroad, though less awful at home, than that of the monarch. The republican government sought for respite from domestic trouble in the midst of foreign war, and the forces of the State, instead of being restrained, were impelled into action by intestine divisions. The jealousy with which the lower ranks of the people endeavoured to watch their superiors, the solicitude with which the higher order endeavoured to preserve its distinction, the exercise of ability which, in this contest, was common to both, enabled them to act against foreign enemies with a spirit that was whetted, but not worn out, in their domestic quarrels.

The Consuls annually elected, brought to the helm of affairs a fresh vigour of mind and continual supplies of renewed ambition. Every officer, on his accession to the magistracy, was in haste to distinguish his administration, and to merit his triumph; and numerous as the enemies of the Republic appeared, they were not sufficient to furnish every Roman Consul, in his turn, with an opportunity to earn this envied distinction. It was conferred only upon those who obtained actual victories, and before whom a certain number of the enemy had fallen *.

In this nursery of warriors, honours, tending to excite ambition or to reward military merit, were not confined to the leaders of armies alone: The victorious soldier partook in the triumph of his lead-

* Five thousand in one field.

er, and had subordinate rewards, proportioned to the proofs he had given of his valour. "I bear the "scars" said Dentatus (while he pleaded for a share in the conquered lands to himself and his fellow-soldiers) "of five and forty wounds, of which twelve "were received in one day. I have carried many "prizes of valour. Fourteen civic crowns bestowed "upon me by those I had saved in battle. Three "times the mural crown; having been so often the "first to scale the enemies' walls. Eight times the "prize of distinction in battle. Many tokens of "esteem and gratitude from the hands of generals. "Eighty-three chains of gold, sixty bracelets, eigh-"teen lances, and twenty-five sets of horse-furniture, "from private persons, who were pleased to approve "of my services *."

Under the influence of councils so fertile in the invention of military distinctions, and in armies of which the soldier was roused by so many incentives to military ambition, the frequent change of commanders, which is commonly impolitic, proved a perpetual renovation of the ardour and spirit with which armies were led. In public deliberations on the subject of war, the vehement ambition of individuals proved a continual incentive to vigorous resolutions, by which the State not only soon recovered the consequence which it seemed to have lost in its transition from monarchy, but was speedily enabled to improve upon all its former advantages as head of the Latin confederacy; frequently to vanquish

* Dionys. Hal. lib. x, c. 36. vel p. 362.

the Sabines, the Hernici, the Volsci, and [illegible] and, in about a hundred years after the expulsion of Tarquin, to extend its dominion greatly beyond the territories which had been in the possession of the prince. In one direction, from Falerium to Anxur, about sixty miles; and in the other, from the summits of the Appenines to the sea: And
U. C. 344. Rome, the metropolis of this little empire, was become, with a few competitors, one of the principal states of Italy.

The first and nearest object of its emulation at this period was Veiæ, an Etruscan community, of which the capital, situate about nine miles from Rome, was built on an eminence, and secured by precipices *.

The Romans, even before the change of their government from the form of a principality to that of a republic, had been in possession of the Tiber and both its banks; but on the right of this river were still circumscribed by the Veiæntes, with whom they had waged long and desperate wars, and, as may be supposed among rivals in so close a neighbourhood, with imminent danger to both. Veiæ, according to Dionysius, was equal in extent to Athens, and, like the other Etruscan cantons, was farther advanced

* This description agrees with that of the Isola Farnese, near Storta, the first stage from Rome, although there is not now any river on the way to Rome answerable to the effect which Livy ascribes to the Cremera, as a barrier on which the Fabii so long opposed the Veiæntes, and by the rashly passing of which they finally perished. It is singular, that this eloquent writer should adopt a relation with circumstances inconsistent with the physical state of the country within a few miles of Rome. Liv. lib. ii. c. 49 and 50.

than Rome in the arts of peace, probably better provided with the resources of war, but inferior in the magnanimity of its councils and in the courage of its people. The Veiæntes, after a variety of struggles, being forced to retire within the walls of their city, suffered themselves to be invested, and underwent a siege or blockade of ten years. The Romans, in order to reduce them, having an army so long in the field, without any interruption or distinction of seasons, made secure approaches, fortifying themselves in the posts which they successively occupied, and in the end entered the place by storm. U. C. 357.

In these operations, we are told, that this warlike community learned to act with more regularity than they had formerly practised; and having, some little time before, allotted a military pay to such of their people as served on foot, they at this time extended the same establishment also to their horsemen or knights; imposed taxes on the people in order to defray this expence, and made other arrangements, which soon after enabled them to carry their enterprises to a greater distance, and to conduct them with more order and system: circumstances which, together with the accessions of territory and power, gained by the reduction of Veiæ, rendered this event a remarkable epocha in the history of Rome.

The use which they proposed to make of their conquests was in part a continuation of their original policy. The practice of incorporating vanquished enemies, indeed, with the Roman people, had been long discontinued; for even Tarquin, it is said,

had introduced the custom of enslaving rather than adopting his captives, and this fate the citizens of Veiæ underwent *; but their lands, and the city itself, offered a tempting recess to the conquerors. And accordingly it was proposed to transplant into those vacant possessions and seats one-half of the Roman Senate and people †.

This proposal was extremely acceptable to many, who hoped to double their own possessions, and who flattered themselves also that they might double the powers of the State: but it was strenuously opposed by the greater part of the Senate and Nobles, as tending to divide and to weaken the commonwealth, and as more likely to restore a rival than to strengthen themselves. And it was eluded by a partial division of the Veiæn territory, in which seven *jugera*, or about four English acres, were assigned as the lot of a family; and by these means the more indigent citizens were provided for, without any hazard of dismembering the State.

But while the Romans were thus availing themselves of the spoils of a fallen enemy, and probably enjoying, on the extinction of their rival, a more than common degree of imagined security, they became themselves an example of the instability of human affairs; being assailed by a new and unlooked for enemy, who came like a stroke of lightning on their settlement, dispersed their people, and reduced their habitations to ashes.

* Liv. lib. v. c. 22. † Ibid. c. 24.

The Gauls, who are said to have passed the Alps in three several migrations about two hundred years before this date, being now masters of all the plains on the Po, and of all the coasts of the Adriatic to the banks of the river Sena, where they had a settlement, which from their name was called Sena Gallia; and being still bent on extending their possessions, or shifting their habitations, had passed the Appenines, and laid siege to Clusium, the capital of a small nation in Tuscany *. The inhabitants of this place made application to the Romans for succour; and could obtain no more than a deputation to intercede with the Gauls in their behalf. But the deputies who were sent on this business, and commissioned to act only as mediators, having appeared in arms on the side of the besieged, the Gauls complained of their conduct as a breach of faith, and as a departure from the neutrality which the Romans professed: Being denied satisfaction on this complaint, they dropped their design on Clusium, and turned their arms against these pretended mediators, who had violated the laws of war. They advanced on the left of the Tiber, found the Romans posted to receive them on the Allia †, a small river which was the limit of the Roman territory, in the country of the Sabines, about ten miles from Rome; and, with the same impetuosity which hitherto attended them, they passed the Allia on the right of

* Liv. lib. v, c. 35, &c.

† The only water-run to which the name of Allia as a river or barrier to cover the front of an army, is applicable, and that imperfectly, is that of a rivulet, beyond the Monte Jubileo, about six or seven miles from Rome, on the Via Salara.

the Roman army, drove them into the angle that was formed by the confluence of the two rivers, put all who withstood them to the sword, and forced the remainder into the Tiber, where numbers perished, or, having gained the opposite bank, took shelter in the desolated city of Veiæ and in the neighbouring country.

This calamity is said to have so much stunned or overwhelmed the Roman People, that they made no farther attempt to defend their city. All the youth that were fit to carry arms retired into the Capitol. The weak or infirm, whether by sex or age, fled as from a place condemned to destruction, or suffered themselves to be surprised and cut off in the streets. U. C. 363.

The Gauls, having employed three days in the pursuit and slaughter of those who fled from the field of battle, on the fourth day advanced towards the walls of Rome. But being alarmed at first by the general desertion of the battlements, which they mistook for an ambuscade or an artifice to draw them into a snare, they examined all the avenues with care before they ventured to enter the gates. The more effectually to dislodge every enemy, they set fire to the city, reduced it to ashes, and took post on the ruins, in order to besiege the Capitol, which alone held out *. In this condition, the daring spirit of Rome, already so formidable to all its neighbours, appeared to be suppressed for ever. And even by the Greeks, notwithstanding their contempt of Barbarians, the rising fame and the reverse of its fortune were heard with attention †.

* Plutarch, in vit. Camilli. † Ibid.

The Gauls remained in possession of the ruins for six months; during which time they made a fruitless attempt to scale the rock on which the Capitol was built; and being repulsed by Manlius, who, for his vigilance and valour on this occasion, acquired the name of Capitolinus, they continued to invest and block up the fortress, in hopes of being able to reduce it by famine. The Romans, who were shut up in the Capitol, still preserved the forms of their commonwealth, enacted laws in the name of the Senate and People, and sensible that Camillus, under whose auspices they had reduced the city of Veiæ, and triumphed over many other enemies, now in exile on the score of an invidious charge of embezzling the spoils he had won at that place, was the fittest person to retrieve their affairs, they absolved him of this accusation, reinstated him in the qualification to command their armies *; and, in order that he might assemble their allies, and collect the remains of their people, who were dispersed in the neighbouring country, vested him with the power of Dictator. In the extreme distress of his country, Camillus overlooked the wrongs he had received, and with the numbers that repaired to his standard, hastened to arm for the relief of the Capitol. He arrived, indeed, at a critical moment, when the besieged, being greatly reduced by famine, had already capitulated, and were paying a ransom for themselves and their remaining effects. But before this transaction was completed, he surprised the besiegers,

* Liv. lib. v, c. 32.

obliged them to relinquish their prey, and afterwards, in a decisive battle that was fought in the neighbourhood of Rome, revenged the disaster which his countrymen had suffered on the banks of the Allia *.

Whatever may have been the true account of this famous adventure, the Romans have given it a place in their history, retained a peculiar sense of their danger from the Gauls, and to this date referred the origin of some particulars in their policy, which served as a monument of some mighty event. They set apart particular funds in the treasury, to be spared in every other possible emergency, and reserved for the case of invasion from Gaul alone. The magistrate, too, though in ordinary times subjected to great limitations, in this case was intrusted with discretionary power: and it is likely that, in the age in which they took this alarming impression of danger from the Gauls, they had not yet acquired those advantages of discipline and military skill, in which they were afterwards so much superior to those and other barbarous neighbours †.

Although historians have amply supplied the detail of history before this event, they nevertheless acknowledge, that all prior evidence of facts perish-

* Liv. lib. v, c. 43, &c.

† The establishment of the Legion, and the improvement made in the choice of its weapons and manner of array, are mentioned as subsequent to this date: And the Romans, it is confessed, made less progress in all other arts than in those of war. Their general, Camillus, at his triumph for the victory obtained over the Gauls, made his entry into Rome, having his visage painted with red; a practice, says Pliny, which is yet to be found among nations of Africa, who remain in a state of barbarity, and which this natural historian was inclined to consider as a characteristic of barbarous manners still prevailing in Rome at the date to which he refers.

ed in the destruction of Rome; that all records and monuments of what the Romans had formerly been, were then to be gathered from the ruins of cottages, which had been for several months trodden under foot by a barbarous enemy; that the laws of the Twelve Tables, the People's Charters of Right, and the Forms of the Constitution, were to be collected in fragments of plates which were dug from the rubbish of their former habitations; and that nothing remaining to mark the former position of Rome, besides the Capitol, raised on its rock, and surrounded with ruins, the people deliberated whether they should attempt to renew their settlement on this ground, or transfer it to Veiæ. It had been formerly proposed to remove to that place one-half of the Senate and people. It was now thought a fit place to receive the whole, and the proper ground on which to restore the name and the seat of their commonwealth. "Why," said the promoters of this design, "attempt, at a great expence, and with so much "labour, to clear out the wretched ruins of a fallen "city, while we have another, provided with pri-"vate and public buildings of every sort, yet entire "for our reception?" To this specious argument might have been opposed the consideration of many advantages in their former position; its place on a navigable river, its command of the passage from Latium to Etruria, and of the navigation of the Tiber from the descents of the Appenines to the sea. But motives of superstition and national pride were supposed to be of greater weight. "Would you," said Camillus, "abandon the seats of your ances-

" tors? Would you have Veiæ restored, and
" to perish for ever? Would you relinqu
" tars of the Gods, who have fixed their
" these sacred places; to whose aid you
" for so many triumphs, and to whom you owe the
" recovery of those habitations for which you now
" propose to relinquish their temples?"

Convinced by this argument, the Romans determined to remain in their ancient situation, proceeded to restore their habitations, and, in the course of a year, accomplished the work of rebuilding their city:—An æra from which, as from a second foundation, may be dated the rise of the commonwealth, and the beginning of a period, in which its history, though still controverted in some particulars, is less doubtful than before, or less disfigured with fable *.

* Some parts, even of the history that follows, are doubtful. The names of Dictators and of Consuls, the reality of entire campaigns, as well as of single actions, are controverted, (Liv. lib. i, c. 5, & 26, lib. v, c. 55, lib. viii, c. 38, lib. ix c. 15); but that which preceded this date rests almost on tradition alone, (Liv. lib. vi, c. 1). It serves, however, to inform us what the Romans themselves believed; and is therefore the best comment we can have on the genius and tendency, as well as the origin, of their political situation.

CHAP. III.

Scene of foreign war and domestic dispute opened with reviving Rome.—Faction or conspiracy of Manlius.—Condemnation.—Plebeians elected into the office of consular tribunes.—Aspire to the consulate.—The first plebeian consul.—Establishment of the prætor.—Patrician Ædiles.—The plebeians qualified to hold all the offices of state.—The measure of Roman magistracy complete.—Review of the constitution.—Its seeming defects.—But great successes.—Policy of the state respecting foreign or vanquished nations.—Formation of the legion.—Series of wars.—With the Samnites.—Campanians.—The Tarentines.—Pyrrhus.—Sovereignty of Italy.—Different footing on which the inhabitants stood.

THE Romans were not allowed to restore their community, nor to rebuild their habitations, in peace: They were invaded by the Equi, the Volsci, the Hernici, the Etruscans, and some of their own Latin confederates *, who, dreading the re-establishment of a commonwealth, from which they had already suffered so much, and whose power was so great an object of their jealousy, made every effort to prevent its revival. During a period of one hundred and seventeen years which followed, they accordingly had to encounter a succession of enemies, who, by endeavouring to repress their power,

U. C. 365.

* Liv. lib. vi. c. 2. and 16.

only led them to the conquest of Italy, of which they became sovereigns; while they continued to undergo internal convulsions, which, as formerly, proved the occasion of political institutions, that filled up by degrees the measure of their national establishment.

During this period the Plebeians, far from being satisfied with their past acquisitions, made continual efforts to enlarge their powers. The Tribunes, by traducing the Senate, and by displaying, in their harangues, the severities in particular of the Patrician creditor, and the sufferings of the Plebeian debtor, still inflamed the animosity of their party. The Republic appeared to be so feebly established, that ambitious citizens were encouraged, by means of faction in the lower class of the people, to entertain hopes of subverting the government. On this ground Manlius, the famous champion of the capitol, who, as has been observed, by his vigilance and valour preserved that fortress from the Gauls, formed a design to usurp the sovereignty. Presuming on his merit in this and other services, he thought himself superior to his fellow-citizens: but whilst he endeavoured, by his intrigues with the populace, to form a party against the Senate, he incurred, what was at Rome of all imputations the most odious, that of aspiring to be King. In opposition to this conspiracy, whether real or fictitious, the republic was committed to the care of a Dictator; and Manlius being brought before him, endeavoured to turn the suspicion of malice and envy against his accusers. He produced four hundred citizens whom he

redeemed from their creditors and released from chains. He produced the spoils of thirty enemies slain by himself in battle; forty badges of honour conferred on him by generals under whom he had served; many citizens whom he had rescued from the enemy, and in this number he pointed at Caius Servilius himself, second in command to the Dictator, who now carried the sword of the State against the life of a person who had saved his own. In the conclusion of this defence, "Such were the trea-"sons," he said, "for which the friends of the "People are to be sacrificed to their imperious "lords."

His merits in the public service were great, and entitled him to any reward from the people, except a surrender of their freedom. His liberality to the more indigent citizens, if it proceeded from humanity, was noble; but if it proceeded from a design to alienate their affections from the public, or to employ their numbers against it, liberality itself was a crime; and the most splendid services, considered as the artifices of a dangerous ambition, were the objects of punishment, not of reward.

The people, it is said, while they had in their view the Capitol, which had been saved by the vigilance and bravery of this unfortunate criminal, hesitated in their judgment; but their meeting being adjourned to the following day, and to a different place, they condemned him to be thrown from that very rock on which he had so lately distinguished his valour *.

* Liv. lib. vi, c. 27.

Such alarms to the general state of the commonwealth, had their temporary effect in suspending the animosity of parties; but could not reconcile their interests, nor prevent the periodical heats which continually arose on the return of their disputes.

U. C. 366. The Plebeians had been now above forty years in possession of a title to hold the office of Consular Tribune, but had not been able to prevail at any election *. The majority of the Centuries was still composed of Nobles; and when candidates of inferior extraction were likely, by their personal consideration, to carry a majority, the other party, in such particular instances, had influence enough, as has been observed, to revive the election of Consuls, a title to which, by law, Patricians alone were yet admitted.

The Plebeians, however, by the zeal of their party, by the assiduity and influence of individuals who aspired to office, by the growing number of their own order, whom their wealth had advanced into the first and second classes, by their alliance with the Patrician families in consequence of marriage, at last surmounted these difficulties, obtained the dignity of Consular Tribune for one of their own extraction, and from thenceforward began to divide the votes of the Centuries with the Patrician candidates. They were accordingly raised in their turn

U. C. 555. to what was then the first office of State, and in which nothing was wanting but the title of Consul, to which they soon after laid claim.

* Liv. lib. vi, c. 37.

This concluding step in the advancement of their rank, they were urged to make by the ambition of a female Patrician, who being married into a Plebeian family, bore with impatience the mortifications to which she was exposed from the condition of her new relations. She excited her husband, engaged her own kindred among the Patricians, and roused the whole popular party, to remove the indignities, which, in being supposed unworthy to hold the Consular dignity, were yet affixed to their race.

Licinius Stolo, the husband of this lady, and Publius Sextius, another active and ambitious Plebeian, were placed in the College of Tribunes, in order to urge this point. They began the exercise of their office by proposing three very important laws. The first intended for the relief of insolvent debtors; by which all payments already made on the score of interest, should be deducted from the capital, and three years be allowed to pay off the remainder.

U. C. 377.

A second law to limit the extent of estates in land, by which no citizen should be allowed to engross above five hundred jugera *, or to have in stock above one hundred bullocks, and five hundred goats and sheep.

A third law to restore the election of Consuls, in place of Consular Tribunes, with an express provision that, at least, one of the Consuls should be of Plebeian descent.

* About 300 English acres. The Lex Licinia, to be frequently quoted in the sequel.

The Patricians, to repel this attack, having gained some of the Tribunes to their party, prevailed upon them to dissent from their colleagues, and by their negative to suspend all farther proceeding on the subject of these laws. The Tribunes, Licinius and Sextius, in their turn, suspended the usual election of magistrates, and put a stop to all the ordinary affairs of State.

An anarchy of five years ensued *; during which period the Republic, bereft of all its officers, had no magistracy besides the Tribunes of the People, who, formidable as they were in the State, were not legally vested with any degree of executive power †. Any alarm from abroad must have suspended the contest at home, and forced the parties to a treaty: but they are said to have enjoyed, in this time of domestic trouble, uninterrupted peace from abroad; a circumstance from which we may infer, that in most of their wars they were themselves the aggressors, and owed this interval of peace to the vacancy of the Consulate, and to their want of the prompters, by whom they were usually excited to quarrel with their neighbours.

In the several questions, on which the parties were now at variance, the Patricians contended chiefly for the exclusion of Plebeians from the office or title of Consul; and, as an insuperable bar to their admission, still insisted on the sacrilegious profanation that would be incurred by suffering the rites usually performed by the Consuls to pass into

* From U. C. 377 to 382. † Liv. lib. vi, c. 35.

Plebeian hands. But this argument, instead of persuading the popular leaders to desist from their claim, only led them to perceive that it was necessary, by a previous operation, to remove the impediment, before they attempted to pass through the way which it was meant to obstruct. They appeared then for a little to drop their pursuit of the Consulate; they affected to respect the Patrician claim, to the possession of places which had always been assigned to their order. But they moved, that the number of ordinary attendants on the sacred rites should be augmented from two to ten; and that of these one-half should be named of Plebeian extraction.

While the Patricians continued to reject this proposal, on account of the effect it was likely to have on their pretensions in general; they gave way successively, and, at the interval of some years, first to the acts that were devised in favour of insolvent debtors; next, to the Agrarian law, or limitation of property in land; and, last of all, to the new establishment relating to the priesthood, and in the sequel, to the communication of the Consulate itself to persons of Plebeian rank.

The authors of the new regulations, knowing that the majority of the Centuries was composed of Patricians, or was still under the influence of that order, were not satisfied with the mere privilege of being qualified to stand for the Consulate. They insisted, that at least one of the Consuls should be a Plebeian; and having prevailed in this, as in the other subjects of contest, the Plebeian party, enter-

ing immediately on the possession of their new privilege, raised Publius Sextius, one of the Tribunes, who had been so active in the cause of his constituents, to the office of Consul.

U. C. 587.

But while the Patricians thus incurred a repeated diminution of their exclusive prerogatives, they endeavoured, by separating the Judicative from the Executive power of the Consul, and by committing the first to a Patrician officer, under the title of Prætor, to save a part from the general wreck.

It was intended that the Prætor should be subordinate, but next in rank to the Consul. He was attended by two Lictors, and had his commission in very general terms, to judge of all differences that should be brought before him, and to hear the suits of the people from the rising until the setting of the sun. This unlimited jurisdiction, as we shall have occasion to observe, came to be gradually circumscribed by its own precedents, and by the accumulating edicts of successive Prætors. One person at first was supposed able to discharge all the duties of this office; but the number, in order to keep pace with the growing multiplicity of civil affairs, was afterwards gradually increased.

Another political change, by which the Patricians procured some compensation for what they had now surrendered, was made about the same time. The care of the public shows and entertainments had hitherto belonged to the Ediles of the People. The office of Edile being at its first institution expensive, was likely to become gradually more so, by the frequent additions which were made

to the festivals, and by the growing demands of the people for shows and amusements. The Plebeians complained of this charge as a burden on their order, and the opposite party offered to relieve them of it, provided that two officers for this purpose, under the title of Curile Ediles, should be annually elected from among the Patricians *.

By these institutions the nobles, while they admitted the Plebeians to partake in the dignity of Consul, reserved to their own order the exclusive right to the offices of Prætor and Edile: By the last of which they had the direction of sports and public entertainments; a department, which, in a state that was coming gradually under the government of popular assemblies, became, in process of time, a great object of ambition, and a principal way to the attainment of power.

The design or the effect of this institution did not escape the notice of the Plebeian party. They complained, that while the Patricians affected to resign the exclusive title to one office, they had seized on two others, inferior only in name, equal in consideration and influence. But no exclusive advantage could be long retained by one order, while the other was occasionally possessed of the legislative and supreme executive power. All the offices, whether of Prætor or Edile, of Dictator or Censor, were, in process of time, filled with persons of either rank; and the distinction of Patrician or Plebeian became merely nominal, or served as a monument or memo-

* Liv. lib. vi, c. 42.

rial of the aristocracy which had subsisted in former ages. The only effect which it now had was favourable to the Plebeians; as it limited the choice of Tribunes to their own order, while, in common with the Patricians, they had access to every other dignity in the State.

U. C. 417.

Review of the Constitution.

Such is the account which historians have given us of the origin and progress of the Roman constitution. This horde, in the earliest account of it, presented a distinction of ranks, under the titles of Patrician, Equestrian, and Plebeian; and the State, though governed by a prince, had occasional or ordinary assemblies, by which it approached to the form of a republic. Assemblies to which every citizen was admitted were termed the *Comitia;* those which were formed of the superior ranks, or of a select number, were termed the *Senate.* Among those who had attained the age of manhood, to be Noble and to be of the Senate were probably synonymous terms. But after the introduction of the Census, separate rolls were kept for the Senate, the Equestrian Order, and the Plebeians or Commons. These rolls were composed by different officers in successive periods of the State. The Senate, which met under Romulus, was said to consist of one hundred members *. This number was increased or diminished at pleasure by his successors. The charge of deciding upon it passed

* Liv. lib. i, c. 8. According to Livy, the Senate consisted of no more than a hundred members at the death of Romulus; but, according to Dionysius, their numbers had been augmented by a popular election at the admission of the Sabines; some writers say to two hundred; others, only to one hundred and fifty. Dionys. lib. ii, c. 47.

from the Kings to the Consuls, and at last devolved on the Censors, who, at every interval of four years, were intrusted to make up the rolls of the people in their separate ranks and distinctions. It is remarkable, that notwithstanding the great importance of the Senate in the government of their country, so little precaution was taken to ascertain who were to be its constituent members, or to fix their legal number. The body was accordingly fluctuating. Individuals were placed or displaced at the discretion of the officer intrusted with the muster, and the numbers which composed this high Council of State increased or diminished indefinitely. The magistrates, though not enrolled, had access to the Senate; but their continuing members, after their year in office expired, depended on the discretion of the Censors. It seemed to be sufficient for the purposes of this constitution, that the Senate should be a meeting of the superior class of the citizens, without any specification of number or formal commission.

Recapitulation.

As the noble and popular assemblies had their separate existence under the Kings, the transition from monarchy to republic in so small a State, by substituting elective and temporary magistrates instead of the King, was easy. A sufficient occasion was given to it in the abuses which were felt in the last reign of the monarchy. The disorders incident to the shock of parties, who were set free from a former control, required, on occasion, the remedy of a discretionary authority vested in some person who might be intrusted with the

public safety, and soon led to the occasional institution of a dictatorial power. The high prerogatives claimed and maintained by one party, obliged the other to assume a posture of defence, and to place themselves under the conduct of leaders properly authorised to vindicate their rights. These rights were understood by degrees to imply political equality, and, in the successive institutions followed, put every citizen in possession of pretensions to preferment and honours; pretensions which were to be limited only by the gradation which nature has made between the capacities, merits, and characters of men, and which are subject, in every community, to be warped by the effects of education and fortune.

New departments of state, or additions to the number of officers employed in them, were continually suggested by the increase of civil affairs; and while the territory of the republic was but a small part of Italy, the measure of her political government was full, and the list of her officers complete. Functions which, in the first or simplest ages, were either unknown or had been committed to the King alone, were now thrown into separate lots or departments, and furnished their several occupations to two Consuls, one Prætor, two Censors, four Ediles, and eight Quæstors, besides officers of these different ranks, who, with the titles of Proconsul, Propraetor, and Proquæstor, and without any limitation of number, were occasionally employed wherever the exigencies of the State required their service.

In this account of the Roman constitution we are

come nearly to that state of its maturity * at which Polybius began to observe and to admire the order of its institutions, and the felicity of its administration. The Plebeians were now reconciled to a government in which they themselves had access to a share, and citizens of every rank made great efforts of industry in a State in which men were allowed to arrive at eminence, not only by advantages of fortune, but likewise by personal qualities. The Senate and Assemblies of the People, the Magistrates and Select Commissioners, had each their departments, which they administered with an appearance of sovereign and absolute sway, but without any interfering of interests or jealousy of power.

The Consuls were destined to the command of armies; but, while at Rome, seemed to have the highest prerogatives in the administration of all civil and political affairs. They had under their command all the other officers of State, except the Tribunes of the People; they introduced all foreign ambassadors to the Senate; they alone could move that body on any subject of deliberation, and were intrusted with the record of its public acts or decrees. The Consuls, too, presided with a similar prerogative in the Assembly of the Centuries and in that of the Curiæ, proposed the question, collected the votes, declared the majority, and framed the act. In all military operations, in making their levies as well as in the command of the army, they were vested with high degrees of discretionary power † over all the

* As it stood in the fifth and sixth Centuries of Rome.

† Vid. Zonar. No. 501. Frontini Stragemata, lib. iv. Val. Max. lib. ii. c. 7

troops of the commonwealth, whether composed of Roman citizens or allies. They commanded the treasury, to the extent of any service on which they were employed, and had one of its commissioners, or Quæstors, appointed to attend their court and to receive their orders.

The Senate, however, had the ordinary adm[illegible] tion of the revenue, took account of its rece[illegible] disbursements, and suffered no money to b[illegible] without their own decree, or the warrant of t[illegible] sul in actual service. Even the money dec[illegible] the Censors for the repair of public buildin[illegible] the execution of public works, could not be [illegible] by the Quæstors without an act of the Senate to authorise it. All crimes and disorders that were committed among the free inhabitants of Italy, or municipal allies of the State, all disputes of a private or public nature that arose among them, came under the jurisdiction and determination of the Senate. All foreign embassies were received or dispatched, and all negociations were conducted by this body. In such matters the People did no more than affirm or reverse what the Senate, after mature deliberation, had decreed, and for the most part gave their consent as a matter of form; insomuch, that while persons, who observed the high executive powers of the Consul, considered the State as monarchical, foreigners, on the contrary, who resorted on public business to Rome, were apt to believe it an aristocracy vested in the Senate alone.

The People, or collective body of Roman citizens, notwithstanding, had reserved the sovereignty to

themselves, and, in their several assemblies, exercised the powers of legislation, and conferred all the offices of State *. They likewise, in all criminal matters, held the supreme jurisdiction. In their quality of sovereign, they were the sole arbiters of life and death; and, even in their quality of subjects, did not submit to restraints which, in every other State, are found necessary to the existence of government.

A citizen, while accused of any crime, continued at liberty until sentence was pronounced against him, and might withdraw from his prosecutors at any stage of the trial, even while the last Century was delivering its votes. A voluntary banishment from the Forum, from the meetings of the Senate, and the assemblies of the people, was accordingly the highest punishment which any citizen, unless he remained to expose himself to the effects of a formal sentence, was obliged to undergo; and it was expressly stipulated, that, even at Tibur or Præneste, a few miles from Rome, a convict who had withdrawn from judgment should be safe †.

Parts so detached were not likely to act as one body, nor to proceed with any regular concert; and the State seems to have carried, in all its establishments, the seeds of dissension and tumult. It was long supported, nevertheless, by the uncommon zeal

* In the Centuries they enacted laws, and elected the officers of State. In the Curiæ they appointed officers to military command.

† The laws of Publilius, which gave the power of legislation to the Plebeian Assemblies, and that of Valerius, which secured every citizen in the right of appeal to the people at large, after being repeatedly re-enacted, were now in full force, (Liv. lib. x, c. 8).

of its members in favour of a commonwealth, in which they enjoyed so much freedom, and in which they were vested with so much personal consideration and power.

The several members of the constitution, in appearance supreme, were in many respects dependent each on the others.

The Consuls, while in office, had the [illegible] and deliberations of the Senate and People, in great measure, in their power; but this power was held from the people, and were accountable for the exercise of it at the expiration of their office.

The Senate could resolve, but they could not execute, until they had obtained from the People a confirmation of their acts, and were obliged to solicit the Tribunes for leave to proceed in any matter which these officers were inclined to oppose.

The Senate was constituted, or formed at regular periods, at the discretion of the Consuls or Censors, officers named by the people.

The city, nevertheless, was properly awed by the Senate and officers of State. On great and alarming occasions, the people themselves were sovereigns no longer than they were allowed by the Senate and Consuls to hold this character. For the Senate and Consuls having it in their power to name a Dictator, could at once transfer the sovereignty of the State to a single person, and subject every citizen to his authority. Every individual held his place on the rolls at the will of the Censors, and his property at the disposal of courts that were composed of Senators; the servants of the public in general, who

aimed at lucrative commissions, depended on the Senate, as administrators of the treasury, or as trustees in the collection or disbursements of the public money *; and every Roman youth, when embodied in the legions, intrusted his honour and his life in the hands of the Consul, or commander in chief †.

The mass, however, was far from being so well compacted, or the unity of power so well established, as speculative reasoners sometimes think necessary for the order of government. The Senate and the Popular Assemblies, in their legislative capacities, counteracted each other. The numbers required to constitute a legal Assembly of the People ‡, the qualification of an individual which entitled him to be considered as a citizen of Rome, were still undetermined. Aliens settling in the city were admitted on the rolls of the people, and citizens removing to the colonies were omitted. Laws, therefore, might be obtained in a clandestine manner, when the people, not sufficiently aware of the conse-

---

* The influence which the Senate possessed as administrators of the public treasury, according to Polybius, was very great. They had a number of commissions to give in the collection of various duties levied on the navigation of rivers, the entry to sea-ports, the produce of mines, and demesne or public lands, chiefly let out for pasturage. They had likewise considerable disbursements on the repair of highways and public buildings, and in the execution of a variety of other works. In such transactions great numbers of people were concerned, as contractors, as partners with those who contracted with the Senate, or as creditors who advanced money to enable the contractors to perform their articles. In all these several capacities the parties depended on the will of the Senate, and continually attended at the doors of that assembly, soliciting commissions, pleading for an abatement of some condition, for delay in the execution of some article, or relief in the case of unforeseen hardship or loss.

† Polyb. lib. vi, c. 19, 11, 12, 13, 14.

‡ Or *Quorum* in our phrase.

quence of such laws, did not attend; or the question might be determined by the voice of a single alien, as often as the division was nearly equal, and a designing magistrate chose to place any number of aliens on the rolls for this purpose *. The State took its

* In the settlement of Romulus, recruits of every quality, whether outlaws, fugitives, or captives, were received without distinction.—In the first ages of the republic, aliens settling at Rome were admitted as citizens, and even placed on the rolls of the Senate.—The Tarquins, and the first of the Claudian family, were emigrants from the neighbouring cantons.—After the establishment of the Census, or periodical muster, the King, the Consuls, and, last of all, the Censors, made up the rolls of the Senate and People at pleasure. They admitted upon it very readily every inhabitant of the city who claimed to be enrolled; but when a right of voting in any of the popular assemblies at Rome came to be considered as a privilege of moment, the inhabitants of Latium crowded to Rome in order to obtain it. They were sometimes put upon the rolls by one Consul, and forbid the city by his colleague; and in every such case the negative, by a maxim of the Roman policy, prevailed.—Such as actually settled at Rome, sooner or later found means to be inserted in the Tribes; and the towns of Latium complained, that they were deserted by numbers of their people, who resorted to Rome for this purpose, and that they were likely to be depopulated. They obtained a law, by which Latin emigrants were excluded from the rolls of the Roman People, except they had left offspring to replace them in the country towns they had left. And this seems to have been the first law enacted at Rome to regulate or restrain the naturalization of aliens. Some authors have affirmed, that even while aliens were so easily admitted on the rolls of the People, Roman citizens, accepting of settlements in the colonies, forfeited their political rights. In this, however, it is probable, that the effects of mere absence have been mistaken for an express and formal exclusion. Whoever ceased to give in his name at the Census, or whoever left his ward or tribe in the city to reside at a distance, was not enrolled in the ward, nor placed in any class. It did not follow, however, that he had forfeited his right, or might not claim it as often as he attended the Census. In this case he was upon a foot of equality with every other citizen, and in the same manner received or rejected at the will of the Censor, or other officer who took the muster.

In this account of the Roman colonies, writers have followed the account of Sigonius, whose opinion, in every circumstance relating to the Roman history, is of great authority. In this particular, however, it happens, that the principal passage he has quoted in support of his opinion, is by some accident strangely perverted. Livy relates, lib. xxxiv, c. 42, that the people of Ferentinum, in the

laws, not only from the Assemblies, which were held, however irregularly, within the capital, but from

year of Rome five hundred and fifty-seven, started a new pretension, by which all Latins who gave their names to be inscribed in any Roman colony should be considered as Roman citizens; but that the Senate rejected this claim when offered by persons who were annexed to the colonies of Puteoli, Salernum, and Buxentum. *Novum jus eo anno a Ferentinatibus tentatum, ut Latini, qui in coloniam Romanam nomina dedissent, cives Romani essent. Puteolos, Salernumque et Buxentum adscripti coloni, qui nomina dederant quum ob id se pro civibus Romanis ferrent; Senatus judicavit non esse eos cives Romanos.* There was a distinction between Roman colonies and colonies of Roman citizens. The first might be Latins, or other allies, planted under the authority of the Roman State. The second were probably citizens. And the whole amount of this passage was to prove, that Latins were not to be considered as Roman citizens, merely because they resided in some colony of Roman citizens. But the quotation of Sigonius is as follows, and gives a wonderful perversion to the passage in question: *De antiquo Jure Italiæ*, lib. ii, c. 3. "Quare adscripti coloni nomine quidem erant cives Romani, revera coloni. Testem postulatis? non longe abiero. Presto est Livius qui scribit, lib. xxxiv. Puteolos, Salernum et Buxentum *civium Roman.* Adscripti coloni, qui nomina dederant cum ob id se pro civibus ferrent; Senatum judicasse non esse eos cives Romanos: et *alio loco* narrat Ferentinates novum jus tentasse, ut Latini, qui in coloniam Romanam nomina dedissent, cives Romani essent."

The perversion of this quotation is remarkable. Different clauses of the same sentence are quoted as separate passages in different parts of the author. The order of the clauses is so placed, that the use of the first in explaining the second is lost, and the words *civium Roman.* are inserted. The passage in Livy, asserting that even Latins pleaded to be admitted as citizens, because they resided in some colony of citizens, proves the reverse of what Sigonius maintains, viz. that citizens removing to colonies were disfranchised. Supposing that the passage, as quoted by Sigonius, might have been the reading in some copy he had consulted, I turned to his own edition, but even there did not find his quotation confirmed.

The fact is, that, in the time of Livy and other historians, the distinction between Roman citizens, whether of the city or of the colonies, and the other inhabitants of Italy, was become a matter of antiquity and of mere curiosity; and therefore is not by them so fully and distinctly stated, as not to admit of dispute. The colonists ceasing to attend at elections, or in the Assemblies of the People, and not giving in their names at the musters, subjected themselves to all the effects of positive exclusion, although it is probable no such exclusion had taken place; for even aliens were not excluded by any positive law, and might be ad-

military detachments and armies, when abroad in the field *. Yet, under all these defects, as we have repeated occasion to observe, they enjoyed the most envied distinction of nations, continual prosp and an almost uninterrupted succession of state and warriors elsewhere unequalled in the histo mankind.

In about one hundred years from the tim which Rome began to be restored the ruins in which it was laid by the Gauls, this adventurous people extended their sovereignty from the farthest limits of Tuscany on the one side, to the sea of Tarentum and the straits of Messina on the other; and as the contest of parties led to a succession of political establishments at home, their frequent wars suggested the policy which they adopted respecting foreign nations, and the distribution of their own settlements abroad.

U. C. 465.

They had for some time discontinued the practice of receiving prisoners of war into the number of their people; but continued that of extending and securing their own acquisitions, by colonies from Rome or its territory, in whom they could

mitted on the rolls at the discretion of the officer who presided in the muster. Antiquarians, in search of ancient constitutions, sometimes suppose that rules must have existed, in order to have the pleasure of conjecturing what they were.

* The Consul C. Marcius, U. C. 398, being encamped at Sutrium in Etruria, assembled his army in their Tribes, and passed a law to raise the twentieth penny on the price of every slave that should be manumised. The Senate, being pleased with the tax, confirmed the act; but the Tribunes, alarmed at the precedent, obtained a resolution, by which it was declared for the future to be a capital crime for any person to propose any law in such detached or partial Assemblies of the People, (Liv. lib. vii, c. 16).

most securely confide. They exacted from the cantons of Italy which they vanquished, contributions of subsistence and clothing for the benefit of their armies; and they generally imposed some condition of this sort as a preliminary to every negociation or treaty of peace *.

Their forces consisted, nearly in equal parts, of native Romans, and of their allies in Italy. The legion, says Livy, had been formerly arrayed in a continued line, or compact column †; but, in the course of the wars which led to the conquest of Italy, came to be formed in divisions, and had different orders of light and heavy armed infantry, as well as cavalry. The light armed infantry were called the Velites, and were supposed to ply in the front, on the flank, or in the rear of the army; and their service was, to keep the heavy-armed foot undisturbed by missiles till they came into close action with the enemy.

U. C. 415.

The heavy-armed foot consisted of three orders, called the Hastati, Principes, and Triarii; of whom each had its separate divisions or manipules; and manipules of the different orders were placed in three different rows, and at distances from each other, equal to the front of the division. By this disposition the manipules of the first and second row could either act separately, or, by mutually filling up their intervals, could complete the front, leaving the Triarii, in time of action, as a body of reserve, to sup-

* Liv. lib. viii, c. 1, and 2. Lib. ix, c. 43. Lib. x, c. 5, and 37.

† Lib. viii, c. 8.

port the line, or fill up the place of any manipule that might be forced by the enemy. And, in order to facilitate occasionally this change of disposition, the divisions of one row faced the intervals of the other *. They were armed with the pilum, [illegible]

* This account of the Roman legion is not without its difficulties. It irrational to break and disperse the strength of a body in this manner; ar sar makes no mention of any such distinction of orders, of the manipules, rows in which they were formed, or of the intervals at which they fought. His legion consisted of ten cohorts, f rm d from right to left on a continued front. Polybius, however, one of the best military historians, and himself an eye-witness of the disposition of the Roman legion in action, as well as on the parade, is very explicit in this account of it; of these two authorities, neither can be questioned; but they refer to different times. Polybius cannot be mistaken or misunderstood: he refers to his order of the legion, in the description of the Roman march, (Polyb. lib. vi, c. 38.), in the description of every battle, (Polyb. lib. iii, c. 1, 2, 3, 4.), and (Polyb. lib. xv, c. 10.) in stating the comparative advantages of the Roman legion and Macedonian phalanx, (Polyb. lib. xvii, c. 28.). The phalanx being a column of indefinite depth, close ranks, and a continued front, with lances or spears, it was impregnable to the short sword and loose order of the Romans, so long as it preserved its front entire, and so long as the spearman made no opening for the Roman soldier to enter within the point of his weapon.

It is observed that the Romans made their attack in separate divisions and at intervals, in order to bring on some irregularity in the front of the phalanx, and in order to make some openings by which the Roman soldier could enter with his sword, and, being once within the point of his enemy's spear, could perform great slaughter with little resistance, (Plutarch in vit. P. Æmil, Liv. lib. xliv, c. 41. Neque ulla evidentior causa victoriæ fuit quam quod multa passim prælia erant quæ fluctuantes turbarant primo, deinde disjecerunt phalanges). From this account, then, it is probable, that the Romans did not divide their legion into orders and manipules, nor fight at intervals, until after they adopted the short stabbing sword, which is said to have been originally from Spain; and that they continued to make this disposition so long only as they had to do with enemies who used the spear and continued front; that after the social war in Italy and their own civil wars began, they discontinued the separate manipules, and sought to strengthen themselves against an army like their own, by presenting a continued front. Livy accordingly marks the time at which the formation of manipules, at intervals, was adopted. Polybius marks the continuance of it, and Cæsar evidently marks the discontinuance of it. It is extremely probable, that the last change was one of those made by Marius, and was introduced into the Roman armies in the social war.

was a heavy javelin or spear to be cast at the enemy, and with a short and massy sword fitted to strike or to thrust. They bore an oblong shield, four feet [illegible] by two and a half feet broad, with a helmet, breastplate, and greaves.

In the structure of these weapons and this defensive armour, the Romans consulted at once both the principal sources of courage in a soldier, his consciousness of the means to annoy his enemy, and of a power to defend himself. With these advantages they continued for ages to prevail in most of their conflicts, and were the model which other nations endeavoured to imitate * in the form of their armies and in the choice of their weapons.

It is understood in the antiquities of this People, that when they were assembled for any purpose, whether of state or of war, they were termed the Army. In their musters a Plebeian was a foot soldier, the Knight a horseman, and the Legion a mere detachment of the whole, draughted for the year, or embodied for a particular service. The men, as well as the officers, in the first period of the history of the Republic, were annually relieved or exchanged; and even after it ceased to be the practice thus annually to relieve the private men, and after the same legions were employed during a succession of some

---

The three orders of Hastati, Principes, and Triarii, were extremely proper to mark the distinction of classes subsisting among Roman citizens, who were, nevertheless, all of them equally bound on occasion, to serve in the condition of private soldiers: And this may be one reason to incline us to ascribe the discontinuance of this distribution to Marius, who was a great leveller of ranks.

* Polyb. lib. vi. c. 17, 18, 19, 20, 21, 22, 23, 24.

years, yet the People, to the latest period of the commonwealth, continued to form the army of their country; and the officer of state was supposed to command in virtue of his civil magistracy, or in virtue of a military qualification and experience which never failed to accompany his office. No citizen could aspire to any of the higher stations in the commonwealth, until he had been enrolled in the Legions, either ten years if on horseback, or sixteen years if on foot; and, notwithstanding the special commissions that were occasionally given for separate objects of state or of war, civil and military rank were never disjoined. Equal care was taken to furnish the rising statesman and warrior with the technical habits of either profession; or rather to instruct him, by his occasional application to both, not to mistake the forms of office in either for the business of state or of war, nor to rest his pretensions to command on any accomplishment short of that superior knowledge of mankind, and those excellent personal qualities of penetration, sagacity, and courage, which give the person possessed of them an ascendant, whether as a friend or as an enemy, in any scene or department of human affairs. It may be difficult to determine, whether we are to consider the Roman establishment as civil or military; it certainly united, in a very high degree, the advantages of both, and continued longer to blend the professions of state and of war together, than we are apt to think consistent with that propriety of character which we require in each: but to this very circumstance, probably, among others, we may safe-

ly ascribe, in this distinguished republic, the great ability of her councils, and the irresistible force with which they were executed *.

During a period of about one hundred and twenty years after the rebuilding of Rome, the Romans were engaged in a continual series of wars; first with the Latins and with their own colonies, who wished to disengage themselves from so unequal an alliance; afterwards with the Etruscans on the one hand, and with the Samnites, Campanians, and Tarentines on the other. They quarrelled with the Samnites first in behalf of the Campanians, who, in order to obtain the protection of Rome, made a surrender of themselves and of all their possessions. This act of submission the Romans afterwards had occasion to enforce against the Campanians themselves, who endeavoured, when too late, to recover their independence.

The Samnites were a fierce nation, inhabiting that tract of the Appenines, which extends from the confines of Latium to those of Apulia; and who, to the advantages of their mountainous situation, joined some singular and even romantic institutions †, which enabled them, during above forty years, from the time at which their wars with the Romans began, to maintain the contest ‡, and to keep the balance of power in suspense.

---

* Polyb. lib. vi, c. 17.

† Of this sort it is mentioned, that ten of the fairest of one sex were annually selected as prizes to be won by the bravest and most deserving of the other. Strabo, lib. v, fin. The Samnites furnished Roman generals with the subject of twenty-four triumphs, but mixed with checks and disgraces more remarkable than any they had received in the course of their wars with any other nations. Florus, lib. i, c. 16.

‡ Liv. lib. x, c. 31.

During the dependence of this quarrel, the Roman armies frequently penetrated into Lucania, Apulia, and before they had reduced the Samnites were known as protectors and allies, or had passed on their passage as conquerors, to the southern extremities of Italy: And the State itself, under a variety of titles, was in reality the head, or held a species of sovereignty over all the nations who occupied that part of the peninsula.

The city of Tarentum, the most powerful of all the Greek settlements in this quarter, having neglected her military establishments in proportion as she advanced in the arts of peace, was alarmed at the near approach of the Romans, and applied for protection to Pyrrhus the King of Epirus, at that time greatly distinguished among the military adventurers of Macedonia and Greece. They wished to employ the military skill of this prince, without being exposed to fall a prey to his ambition; and invited him to come, without any army of his own, to take the command of their people, whose numbers they magnified, in order to induce him to accept of their offer. But, like most foreign military protectors, he appears to have had, together with many schemes of ambition against those on whom he made war, some designs likewise on the State he was brought to defend. With this double intention he did not rely on the forces of Tarentum, but passed into Italy at the head of a numerous army, formed on the model of the Macedonians, and accustomed to service in the wars of that country and of Greece.

U. C. 475.

This is the first enemy whose forces can be considered as a known measure, with which to compare, or by which, in this early period of their history, we can estimate the power and military attainments of the Romans. They had been victorious in Italy, but the character and prowess of the enemies they had vanquished are unknown. This prince knew the arts of war as they were practised in Macedonia and in Greece, and was reputed one of the first captains of that or any other age *. He accordingly prevailed over the Romans in some of their first encounters; but found that partial victories did not subdue this people, nor decide the contest. Having vast schemes of ambition in Sicily and Africa, as well as in Italy, he suddenly suspended his operations against the Romans, to comply with an invitation he received from Syracuse, to possess himself of that kingdom in behalf of his son, who had some pretensions to the crown in the right of Agathocles, from whom he was descended.

In order to pursue this object, he endeavoured to obtain a peace or cessation of arms in Italy; but was told, that, in order to treat with the Romans, he must evacuate their country and return to his own †. With this answer he passed into Sicily; and after some operations which were successful, though

* Pyrrhus, it is said, was struck with the military aspect of the Romans, and admired in particular the form of their encampments. The Greeks always endeavoured to avail themselves of natural strengths, and accommodated the disposition of their camp to the ground; but the Romans, trusting only to their artificial works, pitched on the plain, and never varied the form of their encampments. Plutarch in vit. Pyrrh.

† Liv. Epitome, lib. xiii. Plutarch. in vit. Pyrrh.

not sufficiently supported by his partisans in the country to obtain the end of his expedition, returned again into Italy for the defence of Tarentum, but found that during his absence the Romans had made a considerable progress, and were in condition to repay the defeats they had suffered in the beginning of the war. Having brought this matter to the proof in several encounters, he committed the defence of Tarentum to one of his officers; and after this fruitless attempt to make conquests beyond the Ionian Sea, in which he had employed six years, he returned to his own country.

U. C. 481. The Romans continuing the war against Tarentum, in about two years after the departure of Pyrrhus from Italy, made themselves masters of the place. Here it is mentioned that they found, for the first time, the plunder of an opulent city, containing the models of elegant workmanship in the fine arts, and the apparatus of an exquisite luxury. "In former times," says Florus, "the victorious generals of Rome exhibited in "their triumphs, herds of cattle driven from the Sa-"bines and the Volsci, the empty cars of the Gauls, "and broken arms of the Samnites: but in that "which was shewn for the conquest of Tarentum, "the procession was led by Thessalian and Mace-"donian captives, followed with carriages loaded "with precious furniture, with pictures, statues, "plate, and other ornaments of silver and gold *." Spoils which, we may guess, in the first exhibition

* Florus, lib. i, c. 18.

of them, were valued at Rome more as the public trophies of victory, than felt as the baits of private avarice, or the objects of a mean admiration. The Roman citizen as yet lived content in his cottage, furnished in the rudest manner; and he subsisted on the simplest fare, the produce of his own labour. Curius Dentatus, the Consul who obtained this triumph for the reduction of Tarentum, having the offer of fifty *jugera* as a reward from the public for his services, would accept of no more than seven. This, he said, is the ordinary portion of a citizen, and that person must be an unworthy member of the commonwealth who can wish for more *.

From the conquest of Tarentum the Romans may be considered as the sovereigns of Italy, although their dominion was extremely ill defined, either in respect to its nature or to its extent. They but in a few instances laid claim to absolute sovereignty, and least of all over those who were most submissive to their power. It was their maxim to spare the obsequious, but to crush the proud †; an artful profession, by which, under the

U. C. 481.

* A Roman citizen in this period might, by the law of Licinius, have an estate of five hundred *jugera*, or about three hundred acres; but the ordinary patrimony of a noble family was probably far below this measure; and the lot of a citizen in the new colonies seldom exceeded seven *jugera*. The people were lodged in cottages and slept on straw, (Plin. lib. xviii, c. 3. Cicer. pro Rossio, Val. Max. lib. iv, c. 3.) The Romans, till a little before the siege of Tarentum, had no coin but copper, and estimated property more commonly by the head of cattle than by money. They coined silver for the first time U. C. 485. For gold, it was known as a precious material, and was sometimes joined with oxen in the reward of distinguished services. Liv. lib. iv, c. 30. Ibid. Epitome, lib. xv.

† Parcere subjectis et debellare superbos.

pretences of generosity and magnanimity, they ... ted themselves as the sovereign nation. U... presumptuous maxim, their friendship was ... tained by submission alone; and was no ... their emnity fatal to those who embraced ... The title of ally was, for the most part, no more than a specious name, under which they disguised their dominion, and under which they availed themselves of the strength and resources of other nations, with the least possible alarm to their jealousy or pride.

With the Latins they had early formed an alliance offensive and defensive, in which the parties mutually stipulated the number of troops to be furnished by each; the respective shares which each was to have in the spoils of their common enemies, and the manner of adjusting any disputes that might arise between them. This was the league which the Latins were supposed to have so frequently broken, and of which the Romans so often exacted the observance by force *.

In the first struggles which they made to restore their settlement after its destruction by the Gauls, and in the subsequent wars, which during an hundred years they had to maintain, in support of their new establishment, different cantons of these original confederates, as well as many of their own colonies, had taken very different parts, and in the treaties which ensued, obtained, or were sentenced to, different conditions; some were admitted to the freedom of Rome, and partook of the prerogative of Ro-

* Dionys. Hal. lib. vi, p. 415. Liv. lib. vi, c. 10, lib. ix, c. 43.

man citizens. A few were, by their own choice, in preference to the character of Roman citizens, permitted to retain the independency of their towns, and were treated as allies. Others, under pretence of being admitted to the freedom of Rome, though without the right of suffrage, were deprived of their corporation establishments, and with the title of Citizens, treated as subjects. A few were subjected in form to a military power, and had a Præfect or Governor annually sent from Rome *.

From this unequal treatment arose the variety of conditions by which the natives of Italy were distinguished, as Colonies, Municipal Towns, Allies, Præfectures, or Provincial Governments, until about 181 years after this date, when, as will be mentioned in the sequel, the whole was settled or raised to the same level, by the general admission of all the Italians upon the rolls of the People, or citizens of Rome.

---

* The city of Capua, together with its district of Campania, was the first example of a provincial government established by the Romans in any of their conquests. The Campanians, in order to be protected against the Samnites, had delivered themselves up to the Romans. But they soon after became sensible of their own folly, in trusting their defence to any force but their own, or in resigning their power as a State, with a view to preserve any thing else. When they perceived this error, they endeavoured, in conjunction with some of their neighbours, to form a party against their new masters; and being defeated in their attempts to recover their independence, were treated with the severity that is commonly employed against rebel subjects. Their Senate and popular assembly, under pretence of suppressing seminaries of faction, were abolished, and a Præfect or Governor annually appointed, (Liv. lib. ix, c. 20.). A similar course, under the same pretence, was soon after taken with Antium, (Liv. lib. ix, c. 21.). This had been the principal sea-port of the Volsci, and long the head of many formidable combinations against the Romans.

32323

CHAP. IV.

Limits of Italy.—Contiguous nations.—Ligurians.—Gauls.—Greek and Phœnician colonies of Gaul and Spain.—Nations of Illyricum.—Of Greece.—Achæan league.—Thebans.—Athenians.—Asiatic nations.—Pergamus.—Syria.—Egypt.—Carthage.—The Mamertines of Messina.—Occasion of the first war with Carthage.—Losses of the parties.—Peace.—State of the Romans.—Political or civil institutions.—Colonies.—Musters.—Operation on the coin.—Increase of the slaves.—Gladiators.—Different results of the war at Rome and Carthage.—Mutiny and invasion of the mercenaries at Carthage.—End of this war.—Cession of Sardinia.—War with the Illyrians.—First correspondence of Rome with Greece.

As the Romans, at the time to which our narration is brought, were become the sovereigns of Italy, or, by their ascendant in so advantageous a situation, were enabled to act a distinguished part in every transaction which concerned the condition of nations in that country; it is proper in this place to carry our observation beyond the boundaries of that peninsula, and to enumerate the powers that were then established on different sides of it, or beyond the narrow seas by which it was nearly surrounded. U. C. 481.

Italy was not then supposed to comprehend the whole of that tract which has in later times been

known under this name. Being bounded, as at present, on the south and east by the seas of Sicily and the bay of Tarentum, it extended no farther to the north-west than to the Arnus on the one hand, and to the Rubicon on the other. Beyond these limits the western coasts were inhabited by a number of tribes, which, under the name of Ligurians, occupied the descents of the Appenines and the south of the Alps quite to the sea-shore. On the other side of the Appenines, from Senegallia to the Alps, the rich and extensive plains on both sides of the Po were in the possession of Gaulish nations, who were said, some centuries before, to have passed the mountains, and who were then actually spread over a fertile tract of more than twelve hundred miles in circumference. They consisted of nine different hordes, which were supposed to have passed the Alps at different times. Of these the Lebecii, Insubres, Cenomani, and Veneti, occupied the northern banks of the Po, including what are now the states of Milan, Venice, and other parts of Lombardy on that side of the river. The Anianes, Boii, Ægones, and Senones, were settled to the southward, from the Po to the descents of the Appenines, and on the coasts of the Hadriatic to Senegallia, over what are now the states of Parma, Modena, Bologna, and Urbino. In this favourable situation they appear to have abated much of their native ferocity, though without acquiring, in any considerable degree, the arts that improve the conveniences of life. They fed chiefly on the milk or the flesh of their cattle, and were occupied entirely in the care

of their arms and of their herds. By these, and the ornaments of gold, of which they were extremely fond, they estimated their riches. They were divided into Tribes or Cantons, and lived in cottages huddled together, without any form of towns or villages; had a leader in every horde, who was distinguished by his retinue, or valued himself chiefly on the number of his followers. They made considerable encroachments on the states of Etruria, and Umbria; but were at last encountered, and stopped in their progress by the Romans; so much, that all the settlements of these nations within the Rubicon, and from thence to Senegallia, had, about three years before the arrival of Pyrrhus in Italy, been obliged to acknowledge the sovereignty of Rome *.

The coasts of the Mediterranean, to the westward of Italy, had been known to the nations of Greece and of Asia, and had received many colonies from thence in the form of trading settlements, which remained altogether distinct from the natives. Such were the Greek colonies at Marseilles, Emporiæ, Saguntum, and, even on the coasts of the ocean, such was the Tyrian colony at Gades in Spain. On the other side of Italy, and round the Hadriatic, were distributed a number of small nations, the Istrians, Dalmatians, and Illyrians; of which, at the time when the Romans became acquainted with the navigation of this gulf, the Illyrians, being the chief or

* Polyb. lib. ii, c. 17, 19, 20.

principal power in that quarter, extended eastward to the confines of Macedonia.

The fine age of Greece was passed, and Alexander the Great had finished the career of his victories about sixty years before this date. His hereditary dominions, as well as his personal conquests, were dismembered, and become the patrimony of officers, who had learned under him to affect the majesty and the power of kings. Macedonia was governed by Antigonus Dozon, who, together with the principality of Pella, held in dependence on himself Epirus, Thessaly, and Greece, to the Isthmus of Corinth. He had contended with Pyrrhus, the late invader of Italy, for part of this territory; and, by the death of his antagonist, was now in possession of the whole.

U. C. 421.

In one part of the coast of the Ionian Sea, and on the Gulf of Corinth, were settled the Etolians, who, during the prosperity of Greece, had been an obscure and barbarous horde; but had now, by the confederacy of a number of cantons, laid many districts around them under contribution, and acted a distinguished part in the wars and transactions which followed.

On the other side of the Gulf of Corinth a similar confederacy was formed by the Achæan league. The name of Achaia, in the fabulous ages, was the most general denomination of Greece. When other names, of Dorians and Ionians, of Athenians and Spartans, became more distinguished, the name of Achæans was appropriated to the tribes who occupied the southern coast, on the Gulf of Corinth, from

Elis to Sicyon. On this tract twelve little cantons, Dymæ, Phara, Tritæa, Rhipes, Thasium, Patræ, Pellene, Ægium, Bura, Carynia, Olenos, and Hellice *, having changed their government from principalities to republics, entered into a league, or confederacy, for common defence. Hellice had been, from time immemorial, the seat of their assembly; but this place having been overwhelmed by an inundation of the sea, their meetings were transferred to Ægium.

In the more celebrated times of Sparta, Athens, and Thebes, these little cantons being situated on a poor and rocky shore, without shipping and without harbours †, were of little consideration in the history of Greece; they took no part in the defence of that country from the invasions of Darius, or of Xerxes, and were not mentioned in the divisions that followed under the hostile banners of Sparta and of Athens. They began, however, to appear in support of the liberties of Greece against Philip, the father of Alexander, and partook with the other Greeks in the defeat which they received from that prince at Chæronea, and in all its consequences. Their league was accordingly dissolved by the conqueror, and some of their cantons separately annexed to the Macedonian monarchy. But about the time that Pyrrhus invaded Italy, Dymæ, Patræ, Phara, and Tritæa found an opportunity to renew their ancient confederacy. They were joined in about five years afterwards by the canton of Ægium,

* Pausanias, lib. vii, c. 6. † Plutarch. in vit. Arat. p. 321.

and successively by those of Bura and Carynia. These, during a period of about twenty years, continued to be the only parties in this famous league. They had a general congress, at which they originally elected two annual officers of state, and a common secretary. They afterwards committed the executive power to one officer; and, under the famous Aratus of Sicyon, united that republic, together with Corinth and Megara, to their league *.

About the time at which the Romans became masters of Tarentum, this combination was become the most considerable power of the Peloponnesus, and affected to unite the whole of it under their banners; but Sparta, though greatly fallen from the splendour of her ancient discipline and power, was still too proud, or too much under the direction of her own ambitious leaders, to suffer herself to be absorbed in this upstart confederacy; she continued for some time its rival, and was at last the cause, or furnished the occasion, of its fall.

The Thebans and Athenians, though still pretending to the dignity of independent nations, were greatly reduced, and ready to become the prey of any party, who, breaking through the other barriers that were still opposed to the conquest of Greece, was sufficiently powerful to reach them.

In Asia, a considerable principality was formed round the city of Pergamus, and bore its name. Syria was become a mighty kingdom, extending from the coasts of Ionia to Armenia and Persia. This kingdom had been formed by Seleucus Nica-

* Polyb. lib. ii, c. 3, and Pausanias, lib. vii.

nor, a principal officer in the army of Alexander, and it was now in the possession of his son, Antiochus Soter.

Egypt, in the same manner, had passed from the first Ptolemy to his son Philadelphus, who, upon the expulsion of Pyrrhus from Italy, had entered into a correspondence with the Romans. This kingdom included the island of Cyprus; and having some provinces on the continent of Asia, extended on the south and the west from Cælo-Syria, of which the possession was still disputed by Antiochus, to the sandy desarts of Lybia. Beyond these desarts, on the coasts of the Mediterranean, and almost opposite to the island of Sicily, lay the famous republic of Carthage, now sovereign of a considerable territory in the midst of petty African monarchies, out of which the great kingdom of Numidia was afterwards formed.

The city of Carthage is said to have been founded about one hundred years earlier than Rome, was now unquestionably farther advanced in the commercial and lucrative arts, and superior to Rome in every resource, besides that which is derived from the national character, and which is the consequence of public virtue.

In respect to mere form, the constitution of both nations was nearly alike. They each had a senate and popular assemblies, and annually elected two officers of state for the supreme direction of their civil and military affairs *.

Even at Carthage the collateral members of govern-

* Aristob. Polit. lib. ii, c. 11.

ment were so fortunately balanced, as to have stood for ages the shock of corrupt factions, without having suffered any fatal revolution, or without having fallen into either extreme of anarchy or tyrannical usurpation. The frequent prospect indeed, which this commonwealth had, of incurring these evils, joined to the influence of a barbarous superstition, which represented the gods as delighted with human sacrifices, probably rendered the temper of the people in so high a degree inhuman and cruel. Under the sanguinary policy of this state, it was common for officers to be adjudged, in case of mistakes or want of capacity, as well as of crimes, to expire on the cross, or to suffer some other horrible punishment equally odious and unjust *.

The Carthaginians being settled on a peninsula, and at first without sufficient land or territory to maintain any considerable numbers of people, applied themselves to such arts as might procure a subsistence from abroad; and in process of time, upon the destruction of Tyre, became the principal merchants and carriers to all the nations inhabiting the coasts of the Mediterranean Sea. Their situation, so convenient for shipping, was extremely favourable to the pursuit of trade; and their success in it soon put them in possession of a territory by which they became a landed as well as a naval power. They passed into Spain, under pretence of giving support and assistance to the city of Gades, which, like themselves, was a colony from Tyre.

* Orosius, lib. iv, c. 6.

They became masters of *Sardinia*, and had considerable possessions in Sicily, of which they were extremely desirous to seize the whole. From every part of their acquisitions they endeavoured to derive the profit of merchants, as well as the revenue of sovereigns.

In this republic, individuals had amassed great fortunes, and estimated rank by their wealth. A certain measure of property was required to qualify a citizen for the higher offices of State; and, in the canvass for elections, every preferment, whether civil or military, was venal *. Ambition itself, therefore, became a principle of avarice, and every Carthaginian, in order to be great, was intent to be rich. Though the interests of commerce should have inculcated the desire of peace, yet the influence of a few leading men in the state, and even the spirit of rapacity which pervaded the people, the necessity to which they were often reduced of providing settlements abroad for a populace who could not be easily governed at home, led them frequently into foreign wars, and even engaged them in projects of conquest. But notwithstanding this circumstance, the community stifled or neglected the military character of their own citizens, and had perpetual recourse to foreigners, whom they trusted with their arms, and made the guardians of their wealth. Their armies, for the most part, were composed of Numidians, Mauritanians, Spaniards, Gauls, and fugitive slaves from every country around them.

* Polyb. lib. vi, c. 54.

They were among the few nations of the world who had the ingenuity, or rather the misfortune, to make war without becoming military, and who could be victorious abroad, while they were exposed to be a prey to the meanest invader at home.

Under this wretched policy, however, the first offices of trust and command being reserved for the natives, though the character of the people in general was mean and illiberal, yet a few, being descended of those who had enjoyed the higher honours of the state, seemed to inherit the genius of statesmen and warriors. Instead of suffering by the contagion of a mercenary spirit, the nobles of Carthage perhaps derived some additional elevation of mind from the contrast of manners they were taught to despise. And thus, though the State, in general, was degenerate, a few of its members were qualified for great affairs. War, and the other objects of state, naturally devolved on such men, and occasionally rendered them necessary to a sedentary or corrupted people, who, in ordinary times, were disposed to slight their abilities, or to distrust their power. They became unfortunately a party for war in the councils of their country, as those who were jealous of them became, with still less advantage to the public, a party for peace; or, when at war, a party who endeavoured to embarrass the conduct of those in power; and, under the effects of misfortune, were ever ready to purchase tranquillity by the most shameful and dangerous concessions.

Carthage being mistress of the sea, was already long known on the coasts of Italy: she had treaties

subsisting with the Romans above two hundred years, in which they mutually settled the limits of their navigation, and the regulations of their trade. And the Romans, as parties in these treaties, appear to have had intercourse with foreign nations by sea, earlier than is stated in the other parts of their history.

In the first of those treaties, which is dated in the consulate of L. Junius Brutus and M. Horatius, the first year of the Commonwealth, the Romans, unless they were forced by an enemy, or by stress of weather, engaged not to advance on the coast of Africa beyond the Fair Promontory, which lay about twenty leagues to the westward of the Bay of Carthage. U. C. 244.

It was agreed, that, even in these circumstances, they should remain no longer than five days, and supply themselves only with what might be necessary to refit their vessels, or to furnish them with victims for the usual sacrifices performed at sea. But that in Sardinia, and even in Africa, to the west of this boundary, they should be at liberty to trade and to dispose of their merchandise without paying any duties besides the fees of the crier and clerk of sale; and that the public faith should be pledged for the payment of the price of all goods sold under the inspection of these officers.

That the ports of Sicily should be equally open to both nations.

That the Carthaginians, on their part, should not commit any hostilities on the coast of Latium, nor molest the inhabitants of Ardæa, Antium, Lauren-

tium, Circeii, Terracina, or of any other place in alliance with Rome; that they should not attempt to erect any fortress on that coast; and that, if they should land at any time with an armed force, they should not, upon any account whatever, remain a night on shore.

By a subsequent treaty, in which the states of Utica and Tyre are comprehended as allies to both parties, the former articles are renewed with additional limitations to the navigation and trade of the *Romans*, and with some extension to that of the *Carthaginians*. The latter, for instance, are permitted to trade in the ports of Latium, and even to plunder the natives, provided they put the Romans in possession of any strongholds they should seize on the coast, and provided they should release, without ransom, such of the allies of the Romans as became their prisoners *.

U. C. 474. Upon the arrival of Pyrrhus in Italy, with an armament which equally alarmed both nations, the Romans and Carthaginians again renewed their treaties, with an additional article, in which they agreed mutually to support each other against the designs of that prince, and not to enter into any separate treaty with him inconsistent with this defensive alliance: and farther stipulated, that, in the wars which were expected with this enemy, the Carthaginians, whether as principals or auxiliaries, should furnish the whole of the shipping, both transports and armed galleys; but that the expence

* Polyb. lib. iii, c. 3.

of every armament should be defrayed at the charge of that party in whose behalf it was employed.

In observance probably of the last of these treaties, and by mutual concert, though with considerable jealousy and distrust of each other, the forces of these nations combined in reducing the garrison which Pyrrhus had left at Tarentum. Each had their separate designs on the place; and when its fate was determined, from thenceforward considered the other as the most dangerous competitor for dominion and power. Pyrrhus, even when they were joined in alliance against himself, is said to have foreseen their quarrels, and to have pointed at the island of Sicily as the first scene of their contest.

In that island the Carthaginians were already in possession of Lylibæum, with other posts of importance, and had a design on the whole. The Romans were in sight of it; and by their situation at Rhegium, commanded one side of the Straits. The other side was occupied by the Mamertines, a race of Italian extraction, who, being placed at Messina by the king of Syracuse to defend that station, barbarously murdered the citizens, and took possession of their habitations and effects.

This horrid action was afterwards imitated by a Roman legion posted at Rhegium during the late wars in Italy: these likewise murdered their hosts, and seized their effects; but were punished by the Romans, for this act of cruelty and treachery, with the most exemplary rigour. They were conducted in chains to Rome, scourged, and beheaded by fifties at a time. The crime of the Mamertines was

resented by the Sicilians in general with a like indignation; and the authors of it were pursued, by Hiero king of Syracuse in particular, with a generous and heroic revenge. They were, at length, reduced to such distress, that they resolved to surrender themselves to the first power that could afford them protection. But, being divided in their choice, one party made an offer of their submission to the Carthaginians, the other to the Romans. The latter scrupled to protect a crime of which they had so lately punished an example in their own people *. And, while they hesitated on the proposal that was made to them, the Carthaginians, favoured by the delay of their rivals, and by the neighbourhood of their own military stations, got the start of their competitors, and were received into the town of Messina.

This unexpected advantage gained by a power of which they were jealous, and the danger of suffering a rival to command the passage into Italy, removed the scruples of the Romans; and the officer who had charge of their forces in the contiguous parts of the country, was ordered to assemble all the shipping that could be found on the coast from Tarentum to Naples, to pass with his army into Sicily, and endeavour to dispossess the Carthaginians from the city of Messina.

As soon as this officer appeared in the road with a force so much superior to that of his rivals, the party in the city that favoured the admission of the Ro-

* Polyb. lib. i, c. 10.

mans, took arms, and forced the Carthaginians to evacuate the place *.

U. C. 490. Hence commenced the first Punic war, about ten years after the departure of Pyrrhus from Italy, eight years after the surrender of Tarentum, and in the four hundred and ninetieth year of Rome. In this war, the first object of either party was no more than to secure the possession of Messina, and to command the passage of the Straits which separate Italy from Sicily; but their views were gradually extended to objects of more importance, to the sovereignty of that island, and the dominion of the seas.

The contest in which they were now engaged was likely to be extremely unequal. On the one side appeared the resources of a great nation, collected from extensive dominions, a great naval force, standing armies, and the experience of exertions made at a distance. On the other, the mere ferocity or valour of a small state, hitherto exerted only against their neighbours of Italy, who, though subdued, were averse to subjection, and not in condition to furnish the necessary supplies for a distant war; without commerce or revenue, without any army but what was annually formed by detachments from their own people, and without any officers besides the ordinary magistrates of the city; engaged, in short, in a war at sea, without any naval force, or experience of continued and remote operations.

Notwithstanding these unpromising appearances

* Polyb. lib. i, c. 12.

on the side of the Romans, the commanding aspect of their first descent upon Sicily procured them not only the possession of Messina, but soon after determined Hiero, the king of Syracuse, hitherto in alliance with the Carthaginians, to espouse their cause, to supply their army with provisions, and afterwards to join them with his own. Being thus reinforced by the natives of Sicily, they were enabled to recall part of the force with which they began the war; continued, though at a less expence, to act on the offensive; and drove the Carthaginians from many of their important stations in the island *.

While the arms of the Romans and of Hiero were victorious by land, the Carthaginians continued to be masters of the sea, kept possession of all the harbours in Sicily, overawed the coasts, obstructed the military convoys from Italy, and alarmed that country itself with frequent descents. It was evident, that, under these disadvantages, the Romans could neither make nor preserve any maritime acquisitions; and it was necessary, either to drop the contest in yielding the sea, or to endeavour, on that element likewise, to cope with their rival. Though not altogether, as historians represent them, unacquainted with shipping, they were certainly inferior to the Carthaginians in the art of navigation, and altogether unprovided with ships of force. Fortunately for them, neither the art of navigation, nor that of constructing ships, was yet arrived at such a degree of perfection as not to be easily imitated by nations who

* Polyb. lib. i.

had any experience or practice of the sea. Vessels of the best construction hitherto known were fit to be navigated only with oars, or in a fair wind and on a smooth sea. They might be built of green timber; and, in case of a storm, could run ashore under any cover, or upon any beach that was clear of rocks. Such ships as these the Romans, without hesitation, undertook to provide. Having a Carthaginian galley accidentally stranded at Messina for a model, it is said, that, in sixty days from the time that the timber was cut down, they fitted out and manned for sea, one hundred galleys of five tier of oars, and twenty of three tier. Vessels of the first of these rates carried three hundred rowers, and two hundred fighting men.

The manner of applying their oars, from so many tiers, and a much greater number which they sometimes employed, has justly appeared a great difficulty to the mechanics and antiquaries of modern times, and is confessedly not well understood.

The Romans, while their galleys were building, trained their rowers to the oar on benches that were erected on the beach, and placed in the form of those of a real galley *. And being sensible that the enemy must be still greatly superior in the management of their ships and in the quickness of their motions, they endeavoured to deprive them of this advantage, by preparing to grapple, and to bind their vessels together. In this condition the men might engage on equal terms, fight from their stages or decks as

* Polyb. lib. i, c. 20, 21.

on solid ground, and the Roman buckler and sword have the same effect as on shore.

With an armament thus forced into use, and even unfortunate in its first attempts, they learned, nevertheless, by perseverance, to vanquish the masters of the sea on their own element; and not only protected the coasts of Italy, and supported their operations in Sicily, but, with a fleet of three hundred and thirty sail, though still inferior in number to their enemy, obtained a signal victory at sea; in the sequel of which a Roman army was landed n Africa, and, profiting by the mistake of their enemy, in taking ground that was unfit for the operation of elephants and horse, in which great part of their strength consisted, put them to route, opening the way to the very gates of Carthage. The Roman Consul, buoyed up with so much success, and wishing to have the honour of terminating the war before the arrival of a successor to share it with him, offered to treat with the vanquished, but on terms so extravagant as could not be accepted. In the mean time the Carthaginians recovered from the effects of their late defeat, and being led by Xantippus, a Spartan citizen, trained in the manner of his country to matters of state and of war, retaliated on the Romans with great slaughter. In this fatal defeat, the famous Consul Regulus became a captive, and most of his army was either killed or taken; and, what is perhaps still more memorable, the victorious Spartan instantly withdrew from Carthage, knowing that he had more to fear from the envy of those he had mortified by his success, than to hope from the gratitude of their country.

On this event the scene of the war was removed again into Sicily; and the Romans, still endeavouring to maintain a naval power, suffered so many losses, and experienced so many disasters, that they became, during a certain period of the struggle, disgusted with the service at sea, and seemed to drop all pretensions to act on that element. In the course of a few years, however, while they endeavoured to continue their efforts by land without the co-operation of a fleet, they became sensible of the necessity they were under of restoring their ships; and they did so with a resolution and vigour, which enabled them once more to prevail over the superior skill and address of their enemy *.

* With respect to this war, and those immediately preceding, as being still, we may suspect, within the period of mere tradition, it has not been thought proper to attempt such a detail as would fully account for events, though in some measure supplied by Polybius. The example of the elder Cato, (Vid. Cor. Nepos in Catone), who wrote of these wars, without naming the commanders, has been adopted. They are treated as operations of the State, and characteristic of the People, not as matter of distinction to any particular person concerned. In this, however, the name of Atilius Regulus perhaps ought to be excepted: in him the poets and encomiasts of his country have found a peculiar theme of exultation and tender regret; of the last in his captivity, of the first in his magnanimous rejection of the proposed ransom for himself and his fellow captives. Of the last, indeed, Polybius is silent; but, with severity, animadverts on the abuse of prosperity, which, from the example of Regulus, he states as a warning to his reader. The subject indeed is well fitted to poetry, and is accordingly made the occasion of much beautiful verse and tender allusions, (Vid. Horace, Lib. 3, Ode 5.). It will appear, however, in the treaty of peace which followed, that the Romans did not at all shrink from the precedent of receiving their people again from captivity. And indeed the wisdom of any such severity as is ascribed to them, in the case of Regulus and his army, may well be questioned. It is probable, that men will do more under a prospect of generous treatment in their misfortunes, than they would do under the terrors of ruthless severity and cruelty. But what of all other circumstances is the most instructive in the business, is the flight of Xantippus, who instead of pretending to any reward for his services, or

In this ruinous contest, both parties, with increased animosity, continued the utmost exertion of their powers. In one naval engagement, reckoning the forces that were engaged on both sides, five hundred galleys of five tier of oars, with two hundred and fifty thousand men, and in another, seven hundred galleys, with three hundred and fifty thousand men, were brought into action *; and in the result of these struggles the Romans having lost, either by tempests or by the hands of the enemy, seven hundred galleys; their antagonists, about five hundred †; both were inclined to desist, and the Carthaginians, in particular, beginning to balance the inconveniencies which attended the continuance of war against the concessions that were necessary to obtain a peace, came to a resolution to accept of the following terms:

U. C. 512.

That they should evacuate Sicily, and all the islands from thence to Africa:

That they should not for the future make war on Hiero, King of Syracuse, nor on any of his allies:

That they should release all Roman captives without any ransom:

And within twenty years pay to the Romans a sum of three thousand Euboic talents ‡.

Thus the Romans, in the result of a war, which was the first they undertook beyond the limits of

---

waiting to profit by the gratitude of those he had saved from destruction, withdrew immediately, to escape from the torrent of envy and spite, which he knew might overtake him, from the gamblers for consideration and power at Carthage.

* Polyb. lib. i, c. 26. † Ibid. c. 63.

‡ Polyb. c. 62, &c. About half a million Sterling.

Italy, entered on the possession of all that the Carthaginians held in the islands for which they contended; and, by a continuation of the same policy which they had so successfully pursued in Italy, applying to the acquisitions they made, not the alarming denomination of conquered *Subjects*, but the softer name of *Ally*, they brought Hiero, who was sovereign of the greater part of Sicily, into a state of willing dependence on themselves.

Their manners, as well as their fortunes, were a perfect contrast to those of the enemy they had vanquished. Among the Romans, riches were of no account in constituting rank. Men became eminent by rendering signal services to their country, not by accumulating wealth. Persons of the first distinction subsisted in the capacity of husbandmen by their own labour; and, remaining in the condition of peasants, were nevertheless employed in the command of armies, and the first offices of State. One Consul of the name of Regulus was found, by the officer who came to announce his election, equipped with the sheet or the basket, and sowing the seed of his corn in the field. Another, of the same name, signalized by his magnanimity, as well as misfortune, while he commanded in Africa, desired to be recalled, in order to recover the instruments of husbandry, which, to the great distress of his family, and the hazard of their wanting food, a fugitive slave had carried off from his land. The Senate refused his request, but ordered the farm of their general to be tilled at the public expence *.

* Valer. Maxim, lib. iv, c. 4. Liv. Epitom. lib. xviii. Seneca ad Albinam, c. 12. Auctor de viris illustribus.

The association of pomp and equipage with rank and authority, it may be thought, is accidental, and only serves to distract the attention which mankind owe to personal qualities. It nevertheless appears to be in some measure unavoidable. Men admire and distinguish their favourites as they can. Duillius had his piper and his torch, in honour of the first naval victory obtained by his country *; and the external ensigns of state struck the Romans with awe, although they were still rude in the choice of device or decoration for that purpose.

At this time, when the nation emerged with so much lustre beyond the boundaries of Italy, the parties which divided the commonwealth, and whose animosity sharpened so much the pangs which preceded the birth of many of its public establishments, had no longer any object of contest. The officers of State were taken promiscuously from either class of the people, and the distinction of Plebeian and Patrician had in a great measure lost its effect. A happier species of aristocracy began to arise from the lustre of personal qualities, and the honours of family, which devolved upon those who were descended from citizens who had filled the higher stations, and who were distinguished in their country's service.

The different orders of men in the commonwealth having obtained the institutions for which they severally contended, the number of officers, as well as departments, was increased, for the better administration of affairs, which, together with the extent of

* Liv. Epitom. lib. xvii, xviii.

possessions, were fast accumulating. Thu
cond Prætor was added to the original estabi
of this office; and, as the persons who held
destined to act either in a civil or military ca
to hear causes in the city, or to command ar
the field; they were assisted in the first o
functions by a new institution, that of the C
virs, or the Hundred, who were draughted fr
Tribes, and appointed, during the year of th
mination, under the direction of the prætors,
cognisance of civil disputes. The number of
being now completed to thirty-five, and th
the Centumvirs being draughted from each,
the list of these subsidiary judges amount to or
dred and five *.

The city, during the late destructive war,
broad two colonies, one to Castrum Innui, a
of the Latins, the other to Firmium in the Pic
on the opposite side of the Peninsula, inten
ther to guard and protect the coast, than to p
for any superabundance of the people, whos
bers at this time underwent a considerable d
tion †; the rolls having decreased in the co

* Li v. Epitom. lib. xx.

† Livy, in different places, mentions between thirty and forty Ro
nies subsisting in Italy in the time of the second Punic war, (Liv.
c. 9, & 38.) Velleius Paterculus reckons about forty planted in Italy
recovery of Rome from its destruction by the Gauls, (Lib. i, c. xv.)
nius, collecting the names of all the colonies mentioned by any Rom
as planted in Italy, has made a list of about ninety. But this matter,
much interests this very learned antiquary, and many others, was beco
have mentioned, a subject of mere curiosity, even in the times of th
from whom our accounts are collected; as all the Italians were by the
either in consequence of the Marsic war, or afterwards by the act of Ju
sar, admitted on the roll of Roman citizens.

five years, from two hundred and ninety-seven thousand two hundred and twenty-seven, to two hundred and fifty-one thousand two hundred and twenty-two *. The revenue, for which citizens who were accustomed to pay with their personal service, had little to spare from their effects, and which was at all times probably scanty, being often exhausted by the expences of the late war, brought the community under the necessity of acquitting itself of its debts, by diminishing the weight, or raising the current value of its coin. The Ass, which was the ordinary measure of valuation, being the libra, or pound of copper stamped, and hitherto containing twelve ounces, was reduced in its weight to two ounces †.

The contribution now exacted from Carthage amounting to the sum, already mentioned, of about half a million Sterling, together with the rents to be collected in Sicily, were likely to be great accessions of wealth to such a community.

The spoils of their enemies, for the most part, consisting of captives, were detained by the captor as his slaves, or sent to market to be sold. They had made a prize of twenty thousand in their first descent upon Africa; and the number of slaves in Italy was already become so great as to endanger the State ‡.

The favourite entertainments of the People were combats of armed slaves, known by the name of *gla-*

---

* Liv. Epitom. lib. xix. † Plin. Hist. Nat. lib. xxxiii, c. 3.
‡ Zonar. lib. ii. Orosius, lib. ii, c. 7.

diators, derived from the weapons with which most frequently fought. Such exhibitions, it i were first introduced in the interval betwe first and second Punic war, by a son of the of Brutus, to solemnize the funeral of his Though calculated rather to move pity and horror, than to give pleasure; yet, like all scenes which interest the passions, or excite and fears, and keep the mind in suspense, the attended by the multitude, and served to that characteristical hardness of heart by wh Romans were distinguished.

In the circumstances or events which imm ly followed the conclusion of the war betwixt and Carthage, those nations shewed the differ dency of their institutions and manners. mans in the very struggles of a seemingly tive contest, had acquired strength and secur only by the reputation of great victories, more by the military spirit and improved di and skill of their people by sea and by lan though their subjects in Italy revolted, ar allies withdrew their support, yet both we reduced, at the first appearance of those soldiers who had been formed in the servi was recently ended.

The Carthaginians, on the contrary, ha war above twenty years without becomin warlike; had exhausted their resources, an sumed the bread of their own people in main foreign mercenaries, who, instead of being an sion of strength, were ready to prey on their

ness, and to become the most formidable enemies to the state they had served. Their army, composed, as usual, of hirelings from Gaul, Spain, and the interior parts of Africa, estimated their services at a higher value than the State was disposed to allow, and attempted to take by force what was refused to their representations and claims. Being assembled in the neighbourhood of Carthage to receive the arrears of their pay, the Senate wildly proposed, in consideration of the distressed condition of the public revenue, that they should make some abatement of the sums that were due to them. But the Treasury of Carthage, instead of obtaining the abatements which were thus proposed, only provoked men with arms in their hands to enter into altercations, and to multiply their claims and urge their pretensions. The mercenaries took offence at the delays of payment, rose in their demands upon every concession, and marched at last to the capital, with all the appearances and threats of an open and victorious enemy. They issued a proclamation on their march, inviting all the provincial subjects of the commonwealth to assert their freedom, and, by the numbers that flocked to their standards from every quarter, became a mighty host, to which the city had nothing to oppose but its walls. To effectuate the reduction of Carthage, they invested the cities of Tunis and Utica, and, as is not uncommon in the midst of similar disorder, submitted to all the discipline of war from the officers whom they themselves had appointed to command.

In this crisis, the republic of Carthage, cut off

from all its resources and ordinary supplies, ed with that very sword on which it relied fence, and in a situation extremely deplorab dangerous, having still some confidence in the ty of their Senators, and in the magnanimity of cers tried and experienced in arduous and perilous situations, was not altogether reduced to despair. Although the people had committed their arms into the hands of strangers, the command of armies had been still reserved to their own citizens; and now, by the presence and abilities of a few great men, they were taught to assume a necessary cour put themselves in a military posture, and to m during three years, and through a scene of cruelties and retaliations, unheard of in the of nations at war, a struggle of the greatest ty. In this struggle they prevailed at last, total extirpation of this vile and outrageous e

During the existence of this odious revolt, in which a mercenary army endeavoured to subdue the State which employed them, the Romans preserved that character for generosity and magnanimity of which they knew so well how to avail themselves, without losing any opportunity that offered for the secure advancement of their power. They ed from giving any countenance, even again rival, to such unworthy antagonists. They a to disdain taking any advantage of the pres tresses of Carthage, and refused to enter in correspondence with a part of the rebel merce

* Polyb. lib. i, c. 67,—fine.

who, being stationed in Sardinia, offered to surrender that island into their hands. They prohibited the traders of Italy to furnish the rebels with any supply of provisions or stores, and abandoned every vessel that presumed to transgress these orders, to the mercy of the Carthaginian cruisers who plied before the harbours of Tunis and Utica. Above five hundred Roman prisoners, seized by these cruisers, were detained in the jails of Carthage. At the termination, however, of this war, when the Carthaginians were far from being disposed to renew any quarrel whatever, the Romans fixed on this as a ground of dispute, complained of piracies committed against the traders of Italy, under pretence of intercepting supplies to the rebels; and, by threatening immediate war upon this account, obtained from the State itself a surrender of the island of Sardinia, which they had refused to accept from the rebels; and to make up for their pretended losses by the supposed unwarrantable capture of their ships *, got an addition of two hundred talents to the sum stipulated in the late treaty of peace.

Upon this surrender the Sardinians bore with some discontent the change of their masters; and, on the first prohibition of their usual commerce with Carthage, to which they had been long accustomed, took arms, and endeavoured for some time to withstand the orders by which the sovereignty of their island was transferred to Rome.

Soon after the Romans had reconciled these new-

* Polyb. lib. i, c. 88. lib. iii, c. 10. Appian. de Bell. Punic. p. 4.

ly acquired subjects to their government, h
led a revolt in Tuscany, and vanquished so
tons of Liguria, whom it is said they brough
mit as fast as the access to that country c
opened, they found themselves at peace with all the
world *; and, in token of this memorable circum-
stance, shut the gates of the temple of Janus; a ce-
remony which the succession of wars, con-
U. C. 519. tinued from the reign of Numa to the pre-
sent time, during a period of four hundred and thir-
ty years, had prevented; and a ceremony which,
when performed, marked a situation as transient a
it was strange and uncommon.

Fresh disturbances in some of the possessi
cently seized by the republic, and a quarrel o
importance that carried her arms for the firs
beyond the Hadriatic, embroiled her anew in a
of wars and military adventures.

The Illyrians had become of late a consi
nation, and were a party in the negociations and
quarrels of the Macedonians and the Greeks. Ha-
ving convenient harbours and retreats for shipping,
they carried on a piratical war with most of their
neighbours, and, in particular, committed d
tions on the traders of Italy, which it co
the Romans, as the sovereigns of that countr
press. They accordingly sent deputies to c
of these practices, to demand a reparation
injuries, and a security from any such atte
the future. The Illyrians at this time wer
er

* Florus, lib. ii, c. 3. Eutrop. lib. ii.

the government of Teuta, the widow of a king lately deceased, who held the reins of government as guardian to her son. This princess, in answer to the complaints and representations of the Romans, declared, that in her kingdom no public commission had ever been granted to make war on the Italians; but she observed, that the seas being open, no one could answer for what was transacted there; and that it was not the custom of kings to debar their subjects from what they could seize by their valour. To this barbarous declaration one of the Roman deputies replied, that his country had ever been governed by different maxims; that they endeavoured to restrain the crimes of private persons by the authority of the State, and should, in the present case, find a way to reform the practice of kings in this particular. The queen was incensed; and resenting these words, as an insult to herself, gave orders to waylay and assassinate the Roman deputy on his return to Rome *.

In revenge of this barbarous outrage, and of the former injuries received from that quarter, the Romans made war on the queen of Illyricum, obliged her to make reparation for the injuries she had done to the traders of Italy, to evacuate all the towns she had occupied on the coast, to restrain her subjects in the use of armed ships, and to forbid them to navigate the Ionian Sea with more than two vessels in company.

The Romans, being desirous of having their con-

* Polyb. lib. ii, c. 8.

duct in this matter approved of by the na[illegible] that continent, sent a copy of this treaty, t[illegible] with an exposition of the motives which had i[illegible] them to cross the Hadriatic, to be read in [illegible] sembly of the Achæan league. They soon after made a like communication at Athens and at Corinth, where, in consideration of the signal service they had performed against the Illyrians, then reputed the common enemy of civilized nations, they had an honorary place assigned them at the Isthmian games; and in this manner made their first appearance in the councils of Greece *.

U. C. 525.

* Polyb. lib. ii, c. 12. Appian. in Illyr.

CHAP. V.

Progress of the Romans within the Alps.—Origin of the second Punic war.—March of Hannibal into Italy.—Progress.—Action on the Tecinus.—On the Trebia.—On the lake Thrasimenus.—Battle of Cannæ.—Hannibal not supported from Carthage.—Sequel of the war.—In Italy.—And Africa.—Scipio's operations.—Battle of Zama.—End of the war.

The city of Rome, and most of the districts of Italy, during the last enumerated wars which were waged at a distance or beyond the seas, began to experience that uninterrupted tranquillity in which the capital and interior divisions of every considerable nation remain, even while the state is engaged in war abroad. They had indeed on the side of Cisalpine Gaul one source of alarm, which they thought it necessary to remove, in order to obtain that entire security to which nations in vain aspire. The country of the Senones, they had already subdued, even before the arrival of Pyrrhus in Italy; but the richest and most fertile tracts on the Po were still in the possession of the Gaulish nations; and it had been proposed, about four years after the conclusion of the first Punic war, to erect a barrier against the invasions of this people, by occupying with Roman colonies the conquests they had already made from Sena Gallia to the Rubicon. Although

the inhabitants displaced to make room for new settlements had been subject to the R above forty years, yet their brethren on the P sidered this act of violence as an insult to the Ga name, resolved to avenge it, and invited their countrymen from beyond the Alps to take part in the quarrel.

In consequence of negociations and concerts between the different nations of this race, and in about eight years after the Romans had been settled on the Rubicon, a great army of Gauls appeared on the frontier. These nations were accustomed to make war by impetuous assaults and invasions, and either at once subdued and occupied the countries they overran, or, being repulsed, abandoned them without any farther intention to persist in the war. Their tumultuary operations, however, as we have observed, were subjects of the greatest alarm at Rome, and generally produced a suspension of all the ordinary forms of the commonwealth. On the prospect of this invasion, the Senate, apprehending the necessity of great and sudden exertions of all their strength, ordered a general account to be taken of all the men fit to carry arms, whether on foot or on horseback, that could be assembled for the d of Italy; and they mustered on this famous oc about seven hundred thousand foot and sevent sand horse *. From this numerous return of arms, the State was enabled to make great ments, which they stationed separately und

* Polyb. lib. ii, c. 22, 24, &c. Liv. Epitom. lib. xx

Consuls and one of the Prætors, to cover the country where it was most exposed. The Gauls having penetrated into Etruria, where the Prætor was advanced, attacked and obliged him to retire. But the Consuls, being arrived with their respective armies in different directions to support the van, renewed the conflict with united force, and put the greater part of the Gaulish invaders to the sword.

In the year following, the Romans carried the war into the enemy's country; and in about three years more, passed the Po, and made themselves masters of all the plains on that river quite to the foot of the Alps. To secure this valuable acquisition, they projected two colonies of six thousand men each, one at Cremona, and the other at Placentia, on the opposite sides of the Po; but were disturbed in the execution of this project, first, by a revolt of the natives, who justly considered these settlements as military stations, intended to repress and keep themselves in subjection; and afterwards obliged to discontinue it by the arrival of a successful invader, who, by his conduct and implacable animosity, appeared to be the most formidable enemy that had hitherto attempted to shake the establishment, or to limit the progress of the Roman State.

U. C. 529.

The republic had now enjoyed, during a period of twenty-one years from the end of the first Punic war, the fruits not only of that ascendant she had acquired among the nations of Italy, but those likewise of the high reputation she had gained, and of the great military powers he had formed, in the con-

test with Carthage. The wars that filled up the interval of peace with this principal antagonist were either trivial or of short duration; and the city itself, though still rude in the form of its buildings, and in the manners of its people, probably now began to pay a growing attention to the arts of peace. Laws are accordingly dated in this period, which have a reference to manufacture and trade. Clothiers are directed in the fabric of cloth*, and carriers by water are directed in the size of their vessels. Livius Andronicus and Nævius introduced some species of dramatic entertainment, and found a favourable reception from the people to their productions †, however imperfect and rude. Even history itself began to be in request, and ancient traditions were collected in form ‡.

U. C. 513.

But whatever progress the people were now inclined to make in the useful or pleasurable arts of peace, they were effectually interrupted, and obliged to bend the force of their genius, as in former times, to the arts of war, and to the defence of their settlements in Italy.

The Carthaginians had been for some time employed in Spain, making trial of their strength and forming their armies. In that country Hamilcar, an officer of distinguished fame in the late war with the Romans, and in that which ensued with the mercenaries, had sought refuge from the

* Lex Metilia de Fullonibus. Lex Claudia.

† Cicer. in Bruto, p. 35. A. Gell. lib. xvii, c. 21.

‡ Fabius and the Elder Cato had made their Collections.

and those mortifications which, in the late treaty of peace, he felt from the abject councils of his country. Having found a pretence to levy new armies, he made some acquisitions of territory in the continent of Europe, to compensate the losses which Carthage had sustained by the surrender of Sardinia and of Sicily.

The western extremity of Europe appears to have been to the trading nations of Greece, Asia, and Africa, what America has been, though upon a larger scale, to modern nations of the East, an open field for new settlements, plantations, and conquests. The natives of Spain were brave, but impolitic, and ignorant of the arts of peace, occupied entirely with the care of their horses and their arms. These, says an historian, they valued more than their blood *. They painted or stained their bodies, affected long hair with gaudy ornaments of silver and of gold. The men were averse to labour, and subsisted chiefly by the industry of their women. Their mountains abounded in mines of copper and of the precious metals; insomuch that, on some parts of the coast, it was reported that vessels and utensils of silver were employed in the most common uses †. A fatal report! such as that which afterwards carried the posterity of this very people, with so much destructive avidity, to invade the new world; and is ever likely to tempt the dangerous visits of strangers, who are ready to gratify their avarice and their ambition, at

* Justin, lib. xliv, c. 2. † Strabo, lib. iii.

the expence of nations to whose possessions [illegible] have no reasonable or just pretension. The [illegible] niards were at this time divided into many [illegible] rous hordes, which could neither form any [illegible] concert among themselves to prevent [illegible] and settlement of foreigners, nor possess [illegible] cessary docility with which to profit by [illegible] of other nations, whether in the form of [illegible] or in the practice of arts.

The Carthaginians had made their first irruptions into Spain under pretence of supporting the colony of Gades, which, like themselves, was sprung from Tyre. They made a settlement under the name of New Carthage, in a situation extremely favourable to their own communication with this country, and in the neighbourhood of its richest mines. Hamilcar, after a few successful campaigns, in extending the bounds of this settlement, being killed in battle, was succeeded by his son-in-law Hasdrubal, who continued for some years to pursue the same designs.

The Romans, in the meanwhile, were occupied on the coast of Illyricum, or amused with alarms from Gaul. They were sensible of the progress made by their rivals in Spain; but imagining any danger from that quarter was remote, or they had wars at once on both sides of the Ha[illegible] being unwilling to engage at the same time many enemies, were content with a negotiat[illegible] a treaty, in which they stipulated with the [illegible] ginians, that they should not pass the Iberu[illegible] eastward, nor molest the city of Saguntum [illegible] clared alliance with Rome. This they considered

as a proper barrier on that side, and undertook its protection as a common cause with their own. Trusting to the effect of this treaty, as sufficient to limit the progress of Carthage, they proceeded, in the manner that has been related, to contend for the dominion of Italy, which hitherto, under the frequent alarms they received from the Gauls, was still insecure *.

Hasdrubal, after nine years' service, being assassinated by a Spanish slave, who committed this desperate action in revenge of an injury which had been done to his master, was succeeded in the command of the Carthaginian armies in Spain by Hannibal, the son of Hamilcar. This young man, then of five and twenty years of age, had, when a child †, come to Spain with his father, seemed to inherit his genius, and preserved, probably with increasing animosity, his aversion to the Romans. Having been reared and educated in camps, and from his earliest youth qualified to gain the confidence of soldiers, he, on the death of Hasdrubal, by the choice of the troops, was raised to the command of that army, and afterwards confirmed in it by the Senate of Carthage.

The Carthaginians had now for some time ceased to feel the defeats and the sufferings which had induced them to accept of the late disadvantageous conditions of peace, and were now sensible only of the lasting inconveniencies to which that treaty exposed them. They had long felt, from the neighbourhood of the Romans, an insurmountable bar to

* Polyb. lib. ii, c. 13. † At nine years of age.

their own progress. They had felt, during a seventeen years from the date of their treaty peace, the loss of their maritime settlements, the decline of their navigation. They had felt the load of a heavy contribution, which, though restricted to a particular sum, had the form of a tribute, of being exacted by annual payments; and they entertained sentiments of animosity and aversion to the Romans, which nothing but the memory of recent sufferings and the apprehension of danger could have so long suppressed.

Hamilcar, together with a considerable party of the Senate, were induced to bear with the late humiliating peace, only that they might have leisure to provide for a subsequent war. "I have four "sons," this famous warrior had been heard to say, "whom I shall rear like so many lions' whelps against "the Romans." In this spirit he repaired to Spain, set armies on foot to be trained and accustomed to service, and had already projected the invasion of Italy from thence.

Whatever may have been the military plans of Carthage, the execution was amply secured by the succession of Hannibal to the command of the forces. He was formed for enterprise, and had an hereditary aversion to the Romans. In the first and second year of his command, however, he only continued the operations which his predecessor had begun in Spain; and although, during this time, he made conquests beyond the Iberus, he did not molest the city of Saguntum, nor give any umbrage to the Romans. But, in the third year after his

ment, his progress alarmed the Saguntines, and induced them to send a deputation to Rome to impart their fears.

At the time this alarm was brought from Saguntum, the Romans had assembled a fleet, with transports, under the command of the Consul L. Æmilius Paulus, destined to make war on Demetrius, the prince of Pharos, a small island on the coast of Illyricum. This armament, if directed to Spain, might have secured the city of Saguntum against the designs of Hannibal; but the Romans still considered any danger from that quarter as remote, and continued to employ this force on its first destination. They paid so much regard nevertheless, to the representation of the Saguntines, as to send deputies into Spain, with orders to observe the posture of affairs, and to remind the Carthaginian officer on that station of the engagements which had been entered into by his predecessor, and of the concern which the Romans must unavoidably take in the safety of Saguntum. The return which they had to this message gave sufficient intimation of an approaching war; and it appears that, before the Roman commissioners could have made their report, Hannibal had actually made his hostile aggression in Spain. He had already formed his design for the invasion of Italy, and, that he might not leave to the Romans a place of arms and a powerful ally in his rear, determined to occupy or destroy Saguntum. He was impatient to reduce that place before any succours could arrive from Italy, or before any force could be collected against himself, so as to fix the theatre

of the war, or renew his contest for a country he had already overrun. He pressed the siege before, with great impetuosity, exposing his person in every assault; and exciting, by his own example, with the pickaxe and spade, the parties at work in making the approaches *. Though abundantly cautious not to expose himself on slight occasions, and far above the mere ostentation of courage, yet in this siege, which was the foundation of his hopes, and the necessary prelude to the farther progress of his enterprise, he declined no fatigue, and shunned no danger, that led to the attainment of his end. He was, nevertheless, by the valour of the besieged which they exerted in hopes of relief from Rome, detained about eight months before this place, and deprived at last of great part of the spoils by the desperate resolution of the inhabitants, who chose to perish, with all their effects, rather than fall into the hands of their enemy. The booty, nevertheless, which he saved from this wreck, enabled him, by his liberalities, to gain the affection of his army, and to provide for the execution of his design against Italy.

U. C. 534.

The siege of Saguntum, being the infraction of a treaty subsisting with Rome, was undoubtedly an act of hostility; and the Romans incurred a censure of remissness, uncommon in their councils, in suffering an ally, and a place of such importance, to remain so long in danger, and by suffering it at last to fall a prey to their enemy, without making any

* Polyb. lib. iii, c. 17.

attempt to relieve it. It is probable, that the security they began to derive from a frontier, far removed from the seat of their councils, and covered on every side by the sea, or by supposed impervious mountains, rendered them more negligent than they had formerly been of much slighter alarms. In their present elevation of fortune, they expected to govern by the dread of their power, and proposed to punish, by exemplary vengeance, the insults which they had not taken care to prevent.

The attention of councils at Rome, while this event remained in suspense, had been fixed on the settlements they were making at Cremona and Placentia to keep the Gauls in subjection, and on the naval expedition which they had sent under the Consul Æmilius to the coast of Illyricum. This officer, about the time that Hannibal had accomplished his design on Saguntum, and was retired for the winter to his usual quarters at New Carthage, had succeeded in his attack on Demetrius prince of Pharos, had driven him from his territories, and obliged him to seek for refuge at the court of Macedonia, where his intrigues proved to be of some consequence in the transactions which followed.

The people at Rome being amused with these events, or with a triumphal procession, which, as usual, announced their victory, the Senate proceeded in the affairs of Spain according to the usual forms of their policy, and agreeably to the laws which, in the case of injuries received, they had, from time immemorial, prescribed to themselves, sent to demand reparation before they would at-

tempt to enforce it; they complained at [illegible] of the infraction of treaties; and required that Hannibal with his army should be delivered up to the messengers; or, if this were refused, gave orders to denounce immediate war. The Roman commissioner, who spoke to this effect in the Senate of Carthage, in the conclusion, held up a fold of his gown, and said, "Here are both peace and war, choose ye."—He was answered, "We "choose that which you like best."—"Then it is "war," he said; and from this time both parties prepared for the contest.

U. C. 535.

Hannibal had been long devising the invasion of Italy, probably without communicating his [illegible] even to the councils of his own country. The [illegible] being now declared, he made his dispositions [illegible] safety of Africa and of Spain; gave intimation [illegible] army under his command, that the Romans [illegible] quired them to be delivered up as a beast [illegible] commits a trespass is demanded in reparation of the damage he has done *. If you have a proper sense of this indignity, he said, prepare to avenge it. I will lead you where this insolent enemy may be made to feel your resentment. He was in the eight and twentieth year of his age, when he entered upon the execution of this design; an undertaking which, together with the conduct of it, has raised his reputation for enterprise and ability to an equal, if not to a higher pitch, than that of any leader of armies whatever.

* Velut ob noxam sibi dedi postularet populus Romanus. Liv. lib. xxi, c. 30.

The Romans, a few years before, had mustered near eight hundred thousand men, to whom the use of arms was familiar, to whom valour was the most admired of the virtues, and who were ready to assemble in any numbers proportioned to the service for which they might be required: the march from Spain into Italy lay across tremendous mountains, and through the territory of fierce and barbarous nations, who might not be inclined tamely to suffer a stranger to pass through their country, nor willing to lose any opportunity of enriching themselves with his spoils. From such topics as these, historians have magnified the courage of this celebrated warrior at the expence of his judgment. It is probable, however, that both were equally exerted in this memorable service. In the contest of nations, that country which is made the seat of the war, for the most part labours under great comparative hardship, is obliged to subsist the army of its enemy as well as its own, is exposed to devastation, to hurry, confusion, and irresolution of councils; so much that, in nations powerful abroad, invasions often betray great incapacity and weakness at home, or at least fix the whole sufferings of the war upon those who are invaded. Hannibal, besides this general consideration, had with great care informed himself of the real state of Italy, and knew, that though the Roman musters were formidable, yet much of their supposed strength consisted of discordant parts; a number of separate cantons recently united together, and many of them disaffected to the power by which they were governed. Most of the inhabitants of

that country, being the descendants of di
tions, and distinguished by various langu
retained much animosity to one another,
of all to their new masters. Those who ha
borne the appellation of Roman allies,
colonies themselves, as well as the conque
tions, had occasionally revolted, and were likely to
prefer separate establishments to their present de-
pendence on the Roman State. The Gauls and Li-
gurians, even the Etruscans, had been recently at
war with those supposed masters of Italy, and were
ready to resume the sword in concert with any suc-
cessful invader. The Gauls on the Po were
in arms, had razed the fortifications which
mans had begun to erect at Cremona and Pl
and forced the settlers to take refuge at
Every step, therefore, that an invader shoul
within this country, was likely to remove a
from the Romans, and to add a new one to
The Roman power, composed of parts so ill cement-
ed, was likely to dissolve on the slightest touch.
Though great when wielded by a single hand, and
employed at a distance, yet broken and disjointed
by the presence of an enemy, it was likely to lose its
strength; or, by the revolt of one or more of its dis-
tricts, might furnish a force that could be success-
fully employed against itself. A few striking ex-
amples of success, therefore, for which he trusted to
his own conduct, and to the superiority of veterans
hardened in the service of many years, were likely
to let loose the discontents which subsisted in Italy,
and to shake the fidelity of those allies who compo-

sed so great a part of the supposed strength of the enemy. Even with a less favourable prospect of success, the risk was but small, compared to the chance of gain. A single army was to be staked against a mighty State; and a few men, who, if they should perish, could be easily replaced, were to be risked in a trial, which, if successful, was to make Carthage the mistress of the world; or even if it should miscarry, might pierce her enemy with a deeper wound than she herself was likely to suffer from the loss of all the army she employed in the service.

Hannibal collected together for this expedition ninety thousand foot and twelve thousand horse. In his march to the Iberus, he met with no interruption. From thence to the Pyrenees, being opposed by the natives, he forced his way through their country; but apprehending some inconvenience from such an enemy left in his rear, he stationed his brother Hanno, with ten thousand foot and one thousand horse, to observe their motions, and to keep them in awe. After he had begun to ascend the Pyrenees, a considerable body of his Spanish allies deserted in the night, and fell back to their own country. This example, he had reason to believe, might soon be contagious; and as the likeliest way to prevent its effects, he gave out, that the party which had left him, being no longer wanted for the purposes they served on the march, were returned by his orders to their own homes: That he meant to spare a few more of the troops of the same nation, as being unnecessary in the remaining parts of the

service; and actually dismissed a considerab[illegible] to confirm this opinion. By these separat[illegible] by the swords of the enemy, his numbers, scending from the mountains of Spain, we[illegible] ced from ninety to fifty thousand foot, and nine thousand horse, with seven and thirty elephants*.

This celebrated march took place in the year of Rome five hundred and thirty-four, or in the consulate of Publius Cornelius Scipio and Tiberius Sempronius Longus. The Romans, as usual on such occasions, raised two consular armies, and proposed, by immediate armaments directed to Spain and to Africa, to fix the scene of th[illegible] war at a distance from Italy, or in the countries [illegible] sessed by the enemy.

U. C. 534.

Sempronius assembled an army and a fleet in t[illegible] ports of Sicily, and had orders to pass into Afric[illegible] Scipio embarked with some legions for Spain, an[illegible] touching on the coast of Gaul, there had the [illegible] notice that a Carthaginian army was marching by land into Italy. This intelligence induced him to debark at Marseilles, and to send out a detachment of horse to penetrate into the country, and to procure farther and more particular accounts of the enemy.

Hannibal had arrived on the Rhône at some distance above its separation into the two channels by which it empties itself into the sea, and about four days' march from the coast †. In order to effect his passage of the river, he instantly collected all the

* Polyb. lib. iii, c. 35,—42. † Ibid. c. 4.

boats that could be found within his reach. At the same time, the natives, being unacquainted with strangers in any other quality than that of enemies, assembled in great numbers to dispute his farther progress in their country.

Observing the aspect of so powerful a resistance in front, the Carthaginian made no attempt to force it, but sent a detachment up the banks of the river, with orders to pass where they could, and as soon as they gained the opposite side to make a diversion on the flank or the rear of the enemy.

The division employed on this service, after a march of twenty-five miles, finding the Rhône separated into branches by small islands, at a convenient place got over on rafts to the opposite shore; and being thus in the rear, or on the right of the Gaulish army, after a night of repose from the fatigues of their march, proceeded, according to their instructions, to alarm the enemy on that quarter, while the main army should attempt the passage in front.

On the fifth day after the departure of this party, Hannibal, having intelligence that they had succeeded in passing the Rhône, made his disposition to profit by the diversion they were ordered to make in his favour. The larger vessels, which were destined to transport the cavalry, were ranged towards the stream, to break the force of the current; and many of the horses were fastened to the stern of the boats. The smaller canoes being collected below, were to receive an embarkation of foot.

The Gauls, seeing these preparations, left their

camp, and advanced to meet the enemy. They formed on the banks of the river, when the Carthaginian detachment arrived on their rear, and lighted up fires as a signal of their approach. Hannibal observing the smoke, notwithstanding the posture which the enemy had taken to resist his landing, instantly put off from the shore: both armies shouted; but the Gauls being soon thrown into great consternation by the report and effects of an attack which they little expected on their rear, without resistance gave way to their enemy in front, and were speedily routed. Hannibal, having thus got possession of the passage, in a few days, without any farther interruption or loss, got over his elephants, baggage, and the remainder of his army.

Soon after this difficulty was surmounted, intelligence was received that a Roman fleet had arrived on the coast, and was disembarking an army at Marseilles. To gain further and more certain intelligence, the Carthaginian general, nearly about the same time that the Roman had sent a detachment on the same design, directed a party of horse to examine the country. These parties met; and, after a smart engagement, returned to their respective armies with certain accounts of an enemy being near.

Scipio advanced with the utmost dispatch to fix the scene of the war in Gaul; and Hannibal hastened his departure, being equally intent on removing it, if possible, into Italy. The last, in order to keep clear of the enemy, withdrew from the coast, ascending by the banks of the Rhône; and after marching four days from the place at which he had passed this

river, arrived at its confluence with the Isere *. Here he found two brothers contending for the throne of

* In the manuscripts of Polybius, which are preserved in the Vatican and at Florence, the confluence of rivers at which Hannibal arrived in four days from the place at which he had passed the Rhone, is said to be that of the Rhone with the Skoras or Skaras, names unknown in the geography of that country, either ancient or modern, and therefore a palpable error of the transcriber, who ought certainly to have written either Araros or Isaras. If the first reading, or that of Araros, be adopted, Hannibal must have ascended to Lyons, about one hundred and fifty miles from the sea, before he approached the Alps: But the author has preferred the other reading of the Isaras; because Lyons is too far from the place at which Hannibal must have passed the Rhone to be reached by him in four days, whilst the Isere, as well as the Arar, had its confluence with the Rhone, and could be easily reached in the time mentioned, being no more than forty miles. And to fix the place at which the Rhone was passed, Polybius tells us it was four days' march from the sea. This is a mere computation of distance, not a march actually made, and may be taken at ten, at fifteen or twenty miles a-day, according to the received notion of marches: We shall take it at the medium of fifteen miles, which will make the distance in question, from the sea, to be sixty miles; and from this place the distance to Lyons must of course have been ninety miles. And to suppose that, in four days, a great army could have marched ninety miles, effecting at the same time a passage of the Isere, with all its horses, elephants, and baggage, is altogether incredible.

It is probable that the first editors of Polybius adopted their correction of the manuscripts from the text of Livy, without minding the geography of the country, or the too frequent inattention of Livy to place in the composition of his work. In this very passage, Hannibal being arrived at Lyons, or the confluence of the Rhone and Arar, or Saone, is, by Livy *, made to turn to his left, a movement by which he must have passed the Rhone, and gone to the interior of Gaul. And, notwithstanding this turn to the left, he is made to pass by the cantons of the Vocontii, Tricastini and Trecorii, which, by Strabo, are placed on the Lower Rhone †, and to arrive on the Druentia, even lower than the place at which, by the computation of Polybius, he had formerly passed the Rhone. Mons. St Simon, in his account of Hannibal's march, has adopted this progress from Livy, and embroiled the subject enough. We must therefore recur to the testimony of Polybius, who is indeed the chief or sole authority to be consulted in the case. With respect to his account, the whole difficulty arises from the error of transcribers. The last editor has judiciously amended the former cor-

* Vid. Livy, lib. xxi, c. 31. † Vid. Strabo, lib. iv, p. 135.

their father, and gained an useful ally, by e[illegible] the cause of the elder. Being, in return for [illegible] vice, supplied with arms, shoes, and other [illegible] ries, and attended by the prince himself, wh[illegible] with a numerous body covered his rear, he adva[illegible] f the banks of the Isere, eight hundred stadia, [illegible] hundred miles, in ten days, and, from thence, having no longer the vale of a river to direct him, began to make his way over the summit of the Alps; a labour in which he was employed with his army during fifteen days more.

The natives, either fearing him as an enemy, or proposing to plunder his baggage, had occupied every post at which they could obstruct his march; assailed him from the heights, endeavoured to overwhelm his army in the gorges of the mountains, or force them over precipices, which frequently sunk perpendicular under the narrow paths by which they were to pass.

---

rection, and the name of Isaras being restored to the text, the march which Hannibal made in four days from the place at which he had passed the Rhone, is no more than forty miles, without supposing it necessary that he should have passed the Isere, and is actually the rate at which he continued to march for ten days longer; so that, by this obvious amendment, our account of the whole is disembarrassed of any difficulty or puzzle whatever. He is therefore assumed to have marched up the vale of Isere by Grenoble and Montmelian to near Conflans, and, having surmounted the heights, to have descended by the vale of Aoste.

As mountains are penetrated by the channels of rivers, it is probable that Hannibal, if he were himself to explore his passage, would try the course of the first considerable river he found on his right descending from the Alps, which was the Isere: but if, as we are told, he had well-instructed guides, it is not likely that they would lead him so long a circuit as he must have made by the course and sources of the Rhone, when, in fact, he had one equally practicable, and much nearer, by the Isere on one side of the Alps, and the Dorea Baltea on the other.

Near to the summits of the ridge, at which he arrived by a continual ascent of many days, he had his way to form on the sides of frozen mountains, and through masses of perennial ice, which, at the approach of winter, were now covered with recent snow. Many of his men and horses, coming from a warm climate, perished by the cold; and his army having struggled, during so long a time, with extremes to which it was little accustomed, was reduced from fifty thousand foot and nine thousand horse, the numbers which remained to him in descending the Pyrenees, to twenty thousand foot and six thousand cavalry, a force, in all appearance, extremely disproportioned to the service for which they were destined *.

The Roman Consul, in the mean time, had, in search of his enemy, directed his march to the Rhône; and, in three days after the departure of Hannibal, had arrived at the place where he had passed that river; but was satisfied that any further attempts to pursue him in this direction, would only carry himself away from what was to be the scene of the war, and from the ground he must occupy for the defence of his country; he returned therefore without loss of time to his ships; sent his brother, Cneius Scipio, with the greater part of the army, to pursue the object of the war in Spain; and he himself, with the remainder, set sail for the coast of Etruria, where he landed and put himself at the head of the legions which had been appointed to restore the settlements

* Polyb. lib. iii, c. 55. Liv. lib. xxi.

of Cremona and Placentia, and were rec[illegible] ved in that quarter. With these forces he [illegible] Po, and was arrived on the Tecinus, whe[illegible] thaginian army came down into the plai[illegible] distance below Turin.

Hannibal, at his arrival in those parts, had made a movement to his right; and, in order to gratify his new allies the Insubres, inhabiting what is now the dutchy of Milan, who were then at war with the Taurini or Piedmontese, laid siege to the capital of this country, and in three days reduced it by force. From thence he continued his march on the left of the Po: and, as the armies advanced, both generals, as if by concert, approached with their cavalry or light troops, mutually to observe each other. They met on the Tecinus with some degree of surprise on both sides, and were necessarily engaged in a conflict, which served as a trial of their respective forces, and in which the Italian cavalry were defeated by the Spanish and African horse. The Roman Consul was wounded, and with much difficulty rescued from the enemy by his son Publius Cornelius, afterwards so conspicuous in the history of this war, but then only a youth of seventeen years of age, entering on his military service *.

The Roman detachment, it seems, had an easy retreat from the place of this encounter to that of their main army, and were not pursued. Scipio, disabled by his wound, and probably from the check he had received, sensible of the enemy's superiority in the

* Polyb. lib. x, c. 3.

quality of their horse, determined to retire from the plain; repassed the Po, marched up the Trebia, and, to stop the progress of the Carthaginians, while he waited for instructions or reinforcements from Rome, took post on the banks of this torrent. While he lay in this position, an alarming effect of his defeat, and of the disaffection of some Gauls who professed to be his allies, appeared in the desertion of two thousand horsemen of that nation who went over to the enemy.

The Roman Senate received these accounts with surprise, and with some degree of consternation. An enemy was arrived in Italy, and had obliged the Consul, with his legions, to retire. The forces which they had lately mustered were numerous, but consisted in part of doubtful friends, or of declared enemies. They supposed all their lately vanquished subjects on the Po to be already in rebellion, or to be assembled against them in the Carthaginian camp. And, notwithstanding the numerous levies that could have been made in the city, and in the contiguous colonies; notwithstanding the expediency of what they had projected for carrying the war into Africa, as the surest way of forcing the Carthaginians to withdraw their forces from Italy for the defence of their own country, they, with a degree of pusillanimity uncommon in their councils, ordered the other Consul, Sempronius Longus, to desist from his design upon Carthage; recalled him with his army from Sicily, and directed him, without delay, to join his colleague in the Cisalpine Gaul, and, if possible, to

stop the progress of this daring and impetuous invader.

The Consul Sempronius, therefore, after he had met and defeated a Carthaginian fleet on the coast of Sicily, and was preparing for a descent on Africa, suddenly changed his course, and, having turned the eastern promontories of Sicily and Italy, steered for Ariminum, where he landed; and, having performed this voyage and march in forty days, joined his colleague, where he lay opposed to Hannibal on the Trebia.

By the arrival of a second Roman Consul, the balance of forces was again restored, and the natives still remained in suspense between the two parties at war. Instead of a deliverance from servitude, which many of them expected to obtain from the arrival of foreigners to espouse their cause, they began to apprehend, as usual in such cases, a confirmation of their bonds, or a mere change of their masters. Indifferent to either of the contending parties, they wished so to remain in suspense as to have the favour of the victor, and not to share in the fortunes of the vanquished. They had, therefore, waited to see how the scales were likely to incline, and had not repaired to the standard of Hannibal, in the manner, it is probable, he expected. This, with every other circumstance of the case, forced him to rapid and hazardous councils. Being too far from his resources to continue a dilatory war, he hastened to secure the necessary possessions on the Po; and, by the reputation of victory, to determine the wavering inhabitants to declare on his side.

reasons he ever pressed on the enemy, and occasions to draw them into action. He ever since the encounter on the Tecinus, avoided by Scipio; who, even after he rced by the other consular army, endeaengage his colleague likewise in the same esign; but Sempronius, imputing these measures of Scipio to the impression he had taken from his late defeat, and being confident of his own strength, discovered to the Carthaginian general an inclination to meet him, and to decide the campaign by a general action. Sempronius was farther encouraged in this intention by his success in some encounters of foraging parties, which happened soon after he had arrived on this ground; and Hannibal, seeing this disposition of his enemy, took measures to bring on the engagement in circumstances the most favourable to himself.

He had a plain in his front, through which the Trebia ran, and parted the two armies. He wished to bring the Romans to his own side of the river, and to fight on the ground where his army was accustomed to form. Here, besides the other advantages which he proposed to take, he had an opportunity to place an ambuscade, from which he could attack the enemy on the flank or the rear, while they should be engaged in front. It was the middle of winter, and there were frequent showers of snow. The enemy's infantry, if they should ford the river, and afterwards remain any time inactive, were likely to suffer considerably from the effects of wet and cold. Hannibal, to lay them under this disadvan-

tage, sent his cavalry across the fords, with orders to parade on the ground before the enemy's lines; and, if attacked, to repass the river with every appearance of flight. He had, in the mean time, concealed a thousand chosen men under the shrubby banks of a brook, which fell into the Trebia beyond the intended field of battle. He had ordered his army to be in readiness, and to prepare themselves with a hearty meal for the fatigues they were likely to endure.

When the Carthaginian cavalry, passing the river according to their instructions, presented themselves to the Romans, it was but break of day, and before the usual hour of the first meal in the Roman camp. The legions were, nevertheless, hastily formed; and pouring from their entrenchment, pursued the enemy to where they were seen in disorder to pass the river; and there, by the directions of their general, who supposed he had already gained an advantage, and with the ardour which is usual in the pursuit of victory, the Roman infantry passed the fords, and made a display of their forces on the opposite bank. Hannibal, expecting this event, had already formed his troops on the plain, and made a shew of only covering the retreat of his cavalry, while he knew that a general action could no longer be avoided. After the armies were engaged in front, the Romans were surprised in the rear by the party which had been posted in ambush for this purpose; and this attack being joined to the other disadvantages under which they engaged, they were defeated with great slaughter.

The legions of the centre, to the amount of ten thousand men, cut their way through the enemy's line, and escaped to Placentia. Of the remainder of the army, the greater part either fell in the field, perished in attempting to repass the river, or were taken by the enemy. In this action, although few of the Africans fell by the sword, they suffered considerably by the cold and asperity of the season, to which they were not accustomed; and of the elephants, of which Hannibal had brought a considerable number into this country, only one survived the distress of this day *.

In consequence of this victory, the Carthaginians secured their quarters on the Po; and, by the treachery of a native of Brundisium, who commanded at Clastidium, got possession of that place, after the Romans had fortified and furnished it with considerable magazines for the supply of their own army. Hannibal, in his treatment of prisoners taken at this place, made an artful distinction between the citizens of Rome and their allies; the first he used with severity, the others he dismissed to their several countries, with assurances that he was come to make war on the Romans, and not on the injured inhabitants of Italy.

The Roman Consul, Sempronius, was among those who escaped to Placentia. He meant, in his dispatches to the Senate, to have disguised the calamity which had befallen their forces; but the difficulty with which his messenger arrived through a

* Polyb. lib. iii. c. 74.

country overrun by the enemy, with many other consequences of his defeat, soon published at Rome the extent of their loss. The people, however, rose in their ardour and animosity, instead of being sunk. As awakened from a dream of pusillanimity, in which they had hitherto seemed to confine their views to the defence of Italy, they not only commanded fresh levies to replace the army they had lost on the Trebia, but they ordered the Consul Scipio to his first destination in Spain, and sent forces to Sardinia, Sicily, Tarentum, and every other station where they apprehended any defection of their allies, or any impression to be made by the enemy *.

The unfortunate Sempronius, being called to the city to hold the election of magistrates, escaped, or forced his way through the quarters of the enemy. He was succeeded in office by Caius Flaminius and Cn. Servilius; the first, being of obscure extraction, was chosen in opposition to the Nobles, to whom the people imputed their recent disasters. He was ordered early in the spring to take post at Arretium, that he might guard the passes of the Appenines and cover Etruria, while the other Consul was stationed at Ariminum to stop the progress of the enemy, if he attempted to pass by the eastern coast.

The Carthaginian army had now got entire possession of the plain and fertile country on both sides of the Po, and might rely upon all its resources, whether of men or substance; while the Romans

* Polyb. lib. iii, c. 75.

retired within a new barrier, covered by mountains, which formed a difficult access to their country, and which they were now to defend with unabated resolution and vigour. They had hitherto passed to their settlements on the Po by either of two separate routes; the one through Umbria, and by Ariminum; the other, through Etruria by Arretium, Pistoia, and Lucca. And these being the routes by either one or the other of which it was supposed that Hannibal must advance, gave occasion to the disposition now mentioned, of one Consular army at Ariminum, the other at Arretium, with instructions to join and to meet the enemy with their forces united, as soon as it should appear on which of those routes he was to make his attack.

Hannibal on his part, desirous to elude their precautions, either by hastening his passage of the Appenines before they should be prepared to receive him, or by taking some route on which he was not expected, made an early attempt in the spring to pass by the Ligurian mountains to Lucca; but in this he encountered difficulties, from the nature of the ground over which he was to pass, or from the season, such as obliged him to desist and return to his quarters on the Po. His next expedient for the surprise of his enemy, was to find a new route for himself, different from either of those on which they were prepared to receive him. His approach to the mountains, for a great way from the banks of the Trebia to Bononia, was prevented by marshes of uncertain depth, formed by water from the heights, which not having any determined channels to the

Po, stagnated and spread on the plains *. It was here he proposed to pass and surprise his enemy, or prevent their junction, by keeping them long in suspense with respect to the point at which he was to be expected. In a struggle of many days with the difficulties and dangers of this march, he lost many of his horses, with much of his baggage, and was himself attacked with an inflammation, by which he became blind of an eye for the remainder of his life. Having extricated himself from these difficulties, he made a halt of some months on the higher grounds from which the Appenines begin to ascend, and probably near to the pass which is now the ordinary road from Bologna to Florence. Here his army had time to recover the fatigues of their march through the marshes; and the enemy continued still in suspense respecting the route he was to take, whether by Ariminum or Arretium. Having sufficiently rested his army, and repaired his losses, he suddenly took his way, by the mountains, to Fesulæ, in the vale of the Arnus, or opposite side of the Appenines;

* Strabo places these marshes on the side of Gaul, or between the Po and the Appenines; and an ingenious modern has, with great force of reason, proved, that Hannibal must have encountered those marshes in his way to the Appenines, not after he had passed them. Vid. Strabo, lib. v, p. 217, edit. Paris. Laurenzo Guazzissi dissertatione.

In fixing the tract of this march, we can derive no assistance from Livy, as he differs from Strabo in respect to the position of the marshes through which the Carthaginian army passed with so much difficulty; and his account, either by the error of transcribers, or his own inattention to geography, is singularly perplexed, implying Fesulæ to be on the side of the Arnus, opposite to where the ruins now stand; and that Hannibal, in coming to Fesulæ, kept Arretium on his left, though, in this direction, Arretium must have been some days' march in his front. Livy, lib. xxii, c. 3.

thus making it then evident, that the storm was to fall on the post assigned to Flaminius at Arretium. The character of this Consul, who had been raised by favour of the people in opposition to the Senate, and who was now disposed to gratify his constituents by some action of splendour and success, encouraged Hannibal to hope, that he might derive some advantage from the ignorance and presumption of such an enemy. In this persuasion, he endeavoured to provoke him, by destroying the country in his presence, and tempted him into the field on many occasions, by exposing himself to be attacked. He even ventured to pass him on the plains of Arretium and Cortona, but without effect, until, seeming to despise the enemy whom he thus left behind, he followed the banks of the lake Thrasimemus, and, on the route to Rome, entered a pass, which is formed by the heights of Cortona rising abruptly from the waters of the lake. Even in this state of the armies, Flaminius was advised to wait for the junction of his colleague from Ariminum, and might indeed have been assured that the enemy would not have the temerity to pursue his journey to Rome, with two such commanding armies in his rear: but Flaminius had already remained inactive much longer than was to be expected from a person of his reputed presumption, and now moved from his camp, with proportional ardour and impetuosity, neglecting the precautions which were to be taken in approaching such an enemy, and without examining the heights under which he was to pass, advanced into the narrow way through which the Car-

thaginian army was supposed to have marched over which, in a recess of the mountain, they had actually taken their station, prepared to attack him if he should venture to engage himself in the difficulties of that narrow way *. On the day on which Hannibal's design was ripe for execution, he was favoured in concealing his position by a fog, which, while the Romans were clearly exposed below, covered the brow or ascent of the hill on which the Carthaginians were posted. With this advantage, he succeeded in drawing the Roman Consul into a snare, in which he perished with great part of his army.

The loss of the Romans in this action amounted to fifteen thousand men, who fell by the sword, or who were forced into the lake and drowned. Of those who escaped by different ways, some continued there flight for fourscore miles, the distance of the field on which this battle was fought from Rome, and arrived with the news of this disastrous event. On the first reports great multitudes assembled at the place from which the people were accustomed to receive a communication of public events from the officers of State; and the Prætor, who then commanded in the city, being to inform them of

* The state of this pass, which was probably below the village of Toro, is now considerably altered, having a level plain of some miles between the foot of the mountain and the waters of the lake: but the change is easily accounted for, from the effects of an *emissario* or drain, that has been since opened by a mine under a mountain of above 100 feet in height, by which the mean depth and extent of the lake are considerably altered, and this part of the plain uncovered. Vid. Dissertatione del Padre Bernardino sopra l'emissario del Lago Thrasimeno.

what had passed, began his account of the action with these words: "We are vanquished in a great "battle; the Consul, with great part of his army, "is slain." He was about to proceed, but could not be heard for the consternation and the cries which arose among the People: insomuch, that persons who had been present in the action confessed, they heard these words with a deeper impression, than any they had received amidst the bloodshed and horrors of the field; and that it was then only they became sensible of the whole extent of their loss.

To increase the general affliction, farther accounts were brought at the same time, that four thousand horse, which had been sent, upon hearing that Hannibal had passed the Appenines, by the Consul Servilius, to support his colleague, were intercepted by the enemy and taken. The Senate continued their meetings for many days without interruption, and the People, greatly affected with the weight of mortifications and disappointments, committed themselves, with proper docility, to the conduct of this respectable body. In considering the cause of their repeated defeats, it is probable that they imputed them more to the difference of personal qualities in the leaders, than to any difference in the arms, discipline or courage of the troops. In respect to the choice of weapons, Hannibal was so much convinced of the superiority of the Romans, that he availed himself of his booty on the Trebia and the Lake Thrasimenus, to arm his African veterans in their

manner *. In respect to discipline and courage, although mere detachments of the Roman People were likely, in their first campaigns, to have been inferior to veterans, hardened in the service of many years under Hamilcar, Hasdrubal, and Hannibal himself; yet nothing is imputed by any historian to this point of disparity. They are not said to have been backward in any attack, to have failed their general in the execution of any plan, to have disobeyed his orders, to have been seized with any panic, or, in any instance, to have given way to the enemy, until, being caught in some snare by the superiority of the general opposed to them, they fought with disadvantage, and evinced their courage by the numbers which generally fell on the field of battle.

The result of the Senate's deliberations was to name a Dictator. This measure, except to dispense with some form by which the ordinary magistrate was hampered, had not been adopted during an interval of five and thirty years. The choice fell upon Quintus Fabius Maximus, who seemed to possess the vigilance, caution and vigour which were wanted in this arduous state of affairs. In proceeding to name him, the usual form which, perhaps, in matters of state, as well as in matters of religion, should be supposed indispensable, could not be observed. Of the Consuls, of whom one or the other, according to ancient practice, ought to name the Dictator, one was dead; the other being at a distance, was prevented by the enemy from any communication with

* Polyb. lib. iii, c. 115.

ty. The Senate, therefore, to elude the sup- necessity of his presence, resolved that not a tor, but a Pro-dictator, should be named; and that the People should themselves invest this officer with all the powers that were usually intrusted to the Dictator himself. Fabius was accordingly elected Pro-dictator, and under this title named M. Minutius Rufus for his second in command, or general of the horse.

While the Romans were thus preparing again to collect their forces, Hannibal continued to pursue his advantage. He might, with an enemy more easily subdued or daunted than the Romans, already have expected great fruit from his victories, at least he might have expected offers of concession and overtures of peace: but it is probable that he knew the character of this people enough, not to flatter himself so early in the war with these expectations, or to hope that he could make any impression by a nearer approach to the city, or by an attempt on its walls. He had already, by his presence, enabled the nations of the northern and western parts of Italy to shake off the dominion of Rome. He had the same measures to pursue with respect to the nations of the South. The capital, he probably supposed, might be deprived of the support of its allies or subjects, cut off from its resources, reduced to extremity, and even destroyed; but so fierce a people, while the State had existence, could never be brought to yield to an enemy.

Under these impressions the Carthaginian general, leaving Rome at a distance on his right, repassed the Appenines to the coast of Picenum, and

from thence directed his march to Apulia. Here he proceeded, as he had done on the side of Etruria and Gaul, to lay waste the Roman settlements, and to detach the natives from their allegiance to Rome But while he pursued this plan in one district or division of the country, the Romans took measures to recover the possessions they had lost in the other, or at least to prevent the disaffected Gauls from making any considerable diversion in favour of their new ally.

For this purpose, while Fabius Maximus was assembling an army to oppose Hannibal in Apulia, the Prætor, Lucius Posthumius, was sent with a proper force to the Po. Fabius having united the troops that had served under the Consul Servilius, with four legions newly raised by himself, followed the enemy. On his march he issued a proclamation, requiring all the inhabitants of open towns and villages in that quarter of Italy to retire into places of safety, and the inhabitants of every district to which the enemy approached, to set fire to their habitations and granaries, or to destroy whatever they could not remove in their flight *. Though determined not to hazard a battle, he drew near to the Carthaginian army, and continued from the heights to observe and to circumscribe its motions. Time alone he trusted would decide the war in his favour, against an enemy who was far removed from any supply or recruit, and in a country that was daily wasting by the effect of his own depredations.

* Liv. lib. xxii, c. 11.

Hannibal, after endeavouring in vain to bring the Roman Dictator to a battle, perceived his design to protract the war; and considering inaction as the principal evil he himself had to fear, frequently exposed his detachments, and even his whole army, in dangerous situations. The advantages he gave by these acts of temerity were sometimes effectually seized by his wary antagonist, but also frequently recovered by his own singular conduct and unfailing resources.

In this temporary stagnation of Hannibal's fortune, and in the frequent opportunities which the Romans had, though in trifling encounters, to measure their own strength with that of the enemy, their confidence began to revive. The Public resumed the tranquillity of its councils, and looked round with deliberation to collect its force. The people and the army recovered from their late consternation, and took advantage of the breathing-time they had gained, to censure the very conduct to which they owed the returns of their confidence and the renewal of their hopes. They forgot their former defeats, and began to imagine that the enemy kept his footing in Italy, more by the permission, the timidity, or the excessive caution of the leader they had opposed to him, than by any superiority of his own.

A slight advantage over Hannibal, who had too much exposed his foraging parties, gained by the general of the horse in the absence of the Dictator, confirmed the army and the people in this opinion, and greatly sunk the reputation of Fabius. As he could not be superseded before the usual term of his

office expired, the Senate and People, thoug
cluded by law from proceeding to an actual
tion, came to a resolution equally violent and
cedented, and which they hoped might indu
to resign his power. They raised the general of the horse to an equal command with the Dictator, and left them to adjust their pretensions between themselves. Such affronts, under the notions of honour, which in modern times are annexed to the military character, would have made it impossible for any officer to remain in his station. But in a commonwealth, where, to put any personal consideration in competition with the public, would have appeared absurd; seeming injuries done by the State to the honour of a citizen, only furnished him with a more splendid occasion to display his virtue. The Roman Dictator continued to serve under this diminution of his rank and command, and overlooked with magnanimity the insults with which the people had requited the service he was rendering to his country.

Minutius, now associated with the Dictator upon a foot of equality, in order to be free from the restraints of a joint command, and from the wary counsels of his colleague, desired, as the properest way of adjusting their pretensions, to divide the army between them. In this new situation he soon after, by his rashness, exposed himself and his division to be entirely cut off by the enemy. But being rescued by Fabius, he too gave proofs of a magnanimous spirit, confessed the favour he had received, and committing himself, with the whole army, to the conduct of his colleague, left this cautious officer, du-

ring the remaining period of their joint command, to pursue the plan he had formed for the war *.

At this time, however, the People, and even the Senate, were not willing to await the effect of such seemingly languid and dilatory measures as Fabius was inclined to pursue. They resolved to augment the army in Italy to eight legions, which, with an equal number of the allies, amounted to eighty thousand foot and seven thousand two hundred horse; and they intended, in the approaching election of Consuls, to choose men, not only of reputed ability, but of decisive and resolute councils. As such they elected C. Terentius Varro, known to be of a bold and dauntless spirit; and if inclinable to rashness, supposing that the defects of one might be compensated by the merits of another, they joined with him in the command L. Æmilius Paulus, an officer of approved experience, who had formerly obtained a triumph for his victories in Illyricum, and who was high in the confidence of the Senate, as well as in that of the People.

In the autumn, and before the nomination of these officers to command the Roman army, Hannibal had surprised the fortress of Cannæ on the Aufidus, a place to which the Roman citizens of that quarter had retired with their effects, and at which they had collected considerable magazines and stores. This, among other circumstances, determined the Senate to hazard a battle, or to furnish the new Consuls with instructions to this effect.

* Plutarch. in vit. Fab. Max.

These officers, it appears, descending by the banks of the Aufidus, advanced by mutual consent within six miles of the Carthaginian camp, which covered the village of Cannæ. Here they differed in their opinions, and, by a strange defect in the Roman policy, which, in times of less virtue, must have been altogether ruinous, and even in these times was ill fitted to produce a consistent and well-supported series of measures, had no rule by which to decide their precedency, and were obliged to take the command each a day in his turn.

Varro, contrary to the opinion of his colleague, proposed to give battle on the plain, and with this intention, as often as the command devolved upon himself, still advanced on the enemy. In order that he might occupy the passage on both sides of the Aufidus, he encamped in two separate bodies, joined by a bridge, having the strength of his army on the right of the river, opposed to Hannibal's camp. From this position, still taking the opportunity of his turn to command the army, he passed with the larger division to a plain, supposed to be on the left of the Aufidus, and there, in a field which was too narrow to receive the legions in their usual form, he so compressed his order as to have no advantage of numbers in the extent of his front, making the depth of his manipules or little columns greatly to exceed the face which they turned to the enemy *.

He placed his cavalry on the flanks, the Roman

* Ποιων το βαθος εν ταις Σπειραις; Πολλαπλασιον τε μετωπε. Vid. Polyb.

knights on his right towards the river, and the horsemen of the allies on his left.

Hannibal no sooner saw this movement and disposition of the enemy, than he hastened to meet them on the plain which they had chosen for the field of action. He likewise passed the Aufidus, and, with his left to the river, and his front to the north, formed his army upon an equal line with that of the enemy.

He placed the Gaulish and Spanish cavalry on his left facing the Roman knights, and the Numidians on his right facing the allies.

The flanks of his infantry, on the right and the left, were composed of the African foot, armed in the Roman manner, with the pilum, the heavy buckler, and the stabbing sword, of which he had collected a sufficient assortment on the Trebia and the lake Thrasimenus. His centre, though opposed to the choice of the Roman legions, consisted of the Gaulish and the Spanish foot, variously armed, and intermingled together.

Hitherto no advantage seemed to be taken on either side. As the armies fronted south and north, even the sun, which rose soon after they were formed, shone upon the flanks, and was no disadvantage to either. The superiority of numbers was greatly on the side of the Romans; but Hannibal rested his hopes of victory on two circumstances; first, on a motion to be made by his cavalry, if they prevailed on either of the enemy's wings; next, on a position he was to take with his centre, in order to begin the action from thence, to bring the Roman legions in-

to some disorder, and expose them, under that disadvantage, to the attack which he was prepared to make with his veterans on both their flanks.

The action accordingly began with a charge of the Gaulish and Spanish horse, who, being superior to the Roman knights, drove them from their ground, forced them into the river, and put the greater part of them to the sword. By this event the flank of the Roman army, which might have been joined to the Aufidus, was entirely uncovered.

Having performed this service, the victorious cavalry had orders to wheel at full gallop by the rear of their own army, and to join the Numidian horse on their right, who were still engaged with the Roman allies. Upon this unexpected junction, the left wing of the Roman army was likewise put to flight, and pursued by the African horse: at the same time the Spanish cavalry prepared to attack the Roman infantry, wherever they should be ordered, on the flank or the rear.

While these important events took place on the wings, Hannibal amused the Roman legions of the main body with a singular movement that was made by the Gauls and Spaniards, and with which he proposed to begin the action. These came forward, not in a straight line abreast, but swelling out to a curve in the centre, without disjoining their flanks from the African infantry, who remained firm on their ground.

By this motion they formed a kind of crescent convex to the front. The Roman manipules of the right and the left, fearing, by this singular disposi-

tion, to have no share in the action, hastened to bend their line into a corresponding curve, and in proportion as they came to close with the enemy, charged them with a confident and impetuous courage. The Gauls and Spaniards resisted this charge no longer than was necessary to awaken the precipitant ardour with which victorious troops often blindly pursue a flying enemy. And the Roman line being bent, and fronting inwards to the centre of its concave, the legions pursued where the enemy led them. Hurrying from the flanks to share in the victory, they narrowed their space as they advanced, and the men who were accustomed to have a square of six feet clear for wielding their arms, being now pressed together, so as to prevent entirely the use of their swords, found themselves struggling against each other for space, in an inextricable and hopeless confusion.

Hannibal, who had waited for this event, ordered a general charge of his cavalry on the rear of the Roman legions, and at the same time an attack from his African infantry on both their flanks; and by these dispositions and joint operations, without any considerable loss to himself, he effected an almost incredible slaughter of his enemies. With the loss of no more than four thousand, and these chiefly of the Spanish and Gaulish infantry, he put fifty thousand of the Romans to the sword. U. C. 537.

The Consul, Æmilius Paulus, had been wounded in the shock of the cavalry; but when he saw the condition in which the infantry were engaged, he

refused to be carried off, and was slain *. The consuls of the preceding year, with others of the same rank, were likewise killed. Of six thousand horse, only seventy troopers escaped with Varro. Of the infantry, three thousand fled from the carnage that took place on the field of battle, and ten thousand who had been posted to guard the camp were taken.

The unfortunate Consul, with such of the stragglers as joined him in his retreat, took post at Venusia; and with a noble confidence in his own integrity, and in the resources of his country, put himself, even with so small a force, in a posture to resist the enemy, till he could have instructions and reinforcements from Rome †.

This calamity which had befallen the Romans in Apulia, was accompanied with the defeat of the Prætor Posthumius, who, with his army, on the other extremity of the country, was cut off by the Gauls. A general ferment arose throughout Italy. Many cantons of Grecian extraction, having been about sixty years subject to Rome, now declared for Carthage. Others, feeling themselves released from the dominion of the Romans, but intending to recover their liberties, not merely to change their masters, now waited for an opportunity to stipulate the conditions on which they were to join the victor. Of this number were the cities of Capua, Ta-

* He has received from the poet the following honourable grave: "Animæque magnæ prodigum Paulum, Pœno superante." Hor. Car. lib. i. Ode 12.

† Liv. lib. xxiii.

rentum, Locri, Metapontus, Crotona, and other towns in the south-east of the peninsula. In other cantons, the people being divided and opposed to each other with great animosity, severally called to their assistance such of the parties at war as they judged were most likely to support them against their antagonists. Some of the Roman colonies, even within the districts that were open to the enemy's incursion, still adhered to the metropolis; but the possessions of the republic were greatly reduced, and scarcely equalled what the State had acquired before the expulsion of Pyrrhus from Italy, or even before the annexation of Campania, or the conquest of Samnium. The allegiance of her subjects and the faith of her allies in Sicily were greatly shaken. Hiero, the king of Syracuse, who had for some time, under the notion of an alliance, cherished his dependence on Rome, being now greatly sunk in the decline of years, could no longer answer for the conduct of his own court, and died soon after this event, leaving his successors to change the party of the vanquished for that of the victor.

Hitherto the nations of Greece and of Asia had taken no part in the contest of those powerful rivals. But the Romans having already interfered in the affairs of Greece, and having made their ambition be felt beyond the Hadriatic and the Ionian Sea, the news of their supposed approaching fall was received there with attention: it awakened the hopes of many who had suffered from the effects of their power. Among these Demetrius, the exiled king of Pharos, being still at the court of Macedonia, and much in

the confidence of Philip, who had recently mounted the throne of that kingdom, urging that it was impossible to remain an indifferent spectator in the contest of such powerful nations, persuaded the king to prefer the alliance of Carthage to that of Rome, and to join with Hannibal in the reduction of the Roman power; observing, that with the merit of declaring himself while the event was yet in any measure uncertain, the king of Macedonia would be justly entitled to a proper share of the advantages to be reaped in the conquest.

Philip accordingly endeavoured to accommodate the differences which he had to adjust with the Grecian States in his neighbourhood, and sent an officer into Italy to treat with Hannibal, and with deputies of the Carthaginian Senate who attended the camp. In the negotiation which followed, it was agreed, that the king of Macedonia and the republic of Carthage should consider the Romans as common enemies; that they should pursue the war in Italy with their forces united, and make no peace but on terms mutually agreeable to both. In this treaty the interest of the Prince of Pharos was particularly attended to; and his restoration to the kingdom from which he had been expelled by the Romans, with the recovery of the hostages which had been exacted from him, were made principal articles *.

Hannibal, from the time of his arrival in Italy, after having made war for three years in that country, had received no supply from Africa, and seemed to

* Liv. lib. xxxiii, c. 33.

be left to pursue the career of his fate with such resources as he could devise for himself; but this alliance with the king of Macedonia promised amply to make up for the deficiency of his aids from Carthage; and Philip, by an easy passage into Italy, was likely to furnish him with every kind of support or encouragement that was necessary to accomplish the end of the war.

The Romans were apprized of this formidable accession to the power of their enemy, as well as of the general defection of their own allies, and of the revolt of their subjects. Though taxes were accumulated on the people, and frequent loans obtained from the commissaries and contractors employed in the public service, their expences began to be *ill supplied*. There appeared not, however, in their councils, notwithstanding all these circumstances of distress, the smallest disposition to compound for safety by mean concessions. When the vanquished Consul returned to the city, in order to attend the nomination of a person, who, in this extremity of their fortunes, might be charged with the care of the commonwealth, the Senate, as conscious that he had acted at Cannæ by their own instructions, or had, upon the same motives that animated the whole People at Rome, disdained, with a superior army, to stand in awe of his enemy, or to refuse him battle upon equal ground, went out in a kind of procession to meet him; and, upon a noble idea, that men are not answerable for the strokes of fortune, nor for the effects of superior address in an enemy, they overlooked his temerity and his misconduct in the

action; they attended only to the undaunted aspect he preserved after his defeat, returned him thanks for not having despaired of the commonwealth *, and from thenceforward continued their preparations for war, with all the dignity and pride of the most prosperous fortune. They now, with a severity which was noble in proportion to the public distress, refused to ransom the prisoners who had been taken by the enemy at Cannæ, and treated with sullen contempt, rather than insult, those who by an early flight had escaped from the field: being petitioned to employ them again in the war, "We have "no service," they said, "for men who could leave "their fellow-citizens engaged with an enemy." They seemed to rise in the midst of their sufferings, and to gain strength from misfortune. They prepared to attack or to resist at once, in all the different quarters to which the war was likely to extend, and took their measures for the support of their interest in Spain, in Sardinia, and Sicily, as well as in Italy. They continued their fleets at sea; not only observed and obstructed the communications of Carthage with the seats of the war, but having intercepted part of the correspondence of Philip with Hannibal, they sent a powerful squadron to the coast of Epirus; and, by an alliance with the States of Etolia, whom they persuaded to renew their late war with Philip, procured for that Prince sufficient employment on the frontiers of his own kingdom,

* In the famous and admired expression, *Quia de republica non desperasset.*

by this means effectually prevented his sending any supply or reinforcement to Hannibal, and, in the sequel, reduced him to the humiliating necessity of making a separate peace.

In the ordinary notions which are entertained of battles and their consequences, the last victory of Hannibal at Cannæ, in the sequel of so many others of a similar effect, ought to have decided the contest; and succeeding ages have blamed the victor for not marching directly to the capital, in order to bring the war to a speedy conclusion by the reduction of Rome itself. But his own judgment is of more weight than that of the persons who censure him. He knew the character of the Romans, and his own strength. Though victorious, he was greatly weakened by his victories, and at a distance from the means of a reinforcement or supply. He was unprovided with engines of attack; and, so far from being in a condition to venture on the siege of Rome, that he could not undertake even that of Naples, which, after the battle of Cannæ, refused to open its gates; and, indeed, soon after this date he received a check from Marcellus in attempting the reduction of Nola, a less considerable place *.

The Romans immediately after their disaster at Cannæ, prepared again to act on the offensive, formed a fresh army of five and twenty thousand men, which they sent, under the Dictator Junius Pera, to collect the remains of their late vanquished forces,

* Liv. lib. xxiii, c. 14, 15, 16.

and to annoy the enemy wherever they might find him exposed.

Hannibal kept in motion with his army to protect the cantons that were inclined to declare on his side; but together with the extent and multiplication of his new possessions, which obliged him to divide his army in order to occupy and to secure them, he became sensible of weakness; and, together with the accounts sent to Carthage of his victories, he likewise sent a representation of his losses, and demanded a supply of men, of stores, and of money. He was indeed in his new situation so much in want of these articles, that, having in the three first years of the war apparently raised the reputation of his country to the greatest height, and procured more allies and more territory in Italy than were left in the power of the Romans, together with Capua, and other cities, more wealthy than Rome itself, and surrounded with lands better cultivated, and more full of resources, yet his affairs from thenceforward began to decline.

Armies are apt to suffer, no less from an opinion, that all the ends of their service are obtained, than they do from defeats, and from the despair of success. The soldiers of Hannibal, now elated with victory, perhaps grown rich with the plunder of the countries they had overrun, and of the armies they had defeated; and presuming that the war was at an end, or that they themselves ought to be relieved, or sent to enjoy the rewards of so glorious and so hard a service, became remiss in their discipline, or indulged themselves in all the excesses, of which the

means were to be found in their present condition. Being mere soldiers of fortune, without a country, or any civil ties to unite them together, they were governed by the sole authority of their leader, and by their confidence in his singular abilities. Although there is no instance of their openly mutinying against him in a body, there are many instances of their separately and clandestinely deserting his service. The Spanish and Numidian horse, in particular, to whom he owed great part of his victories, upon some disappointment in their hopes, or upon a disgust taken at the mere stagnation of his fortune, went over in troops and squadrons to the enemy *. His hopes from the side of Macedonia were entirely disappointed, the power of that nation having full employment at home †. He found himself unable, without dividing his forces, to preserve his recent conquests, or to protect the Italians who had declared of his side. Some of his possessions, therefore, he abandoned or destroyed; and the natives of Italy, now the victims of his policy, or left to the mercy of the Romans whom they had offended, became averse to his cause, or felt that they could not rely on his power for protection ‡. Moved by these considerations, he made earnest applications at Carthage for reinforcements and supplies, to enable him to continue the war. But the councils of that republic, though abject in misfortune, were insolent or remiss in prosperity. Being bro-

* Liv. lib. xxxiii, c. 46. † Ibid. lib. xxvi, c. 28, 29. Lib. xxviii, c. 4.
‡ Ibid. lib. xxvii, c. 1, and 16.

ken into factions, the projects of one party, however wise, were frustrated by the opposition of the other. One faction received the applications of Hannibal with scorn. "Do victories," they said, "reduce armies to the want of reinforcements and "of supplies, even against the very enemies they "had vanquished? And do the acquisitions of Han- "nibal require more money and men to keep them "than were required to make them? Other victo- "rious generals are proud to display the fruits of "their conquests, or bring home the spoils of their "enemies to enrich their own country, instead of "draining it to support a career of vain and unpro- "fitable enterprise."

These invectives concluded with a motion, which, on the supposition that the advantages gained by Hannibal were real, was well-founded in wisdom and sound policy, That the occasion should be seized to treat with the Romans, when the State had reason to expect the most favourable terms. But this counsel either was, or appeared to be, the language of faction; and no measures were adopted, either to obtain peace, or effectually to support the war.

The friends, as well as the enemies of Hannibal, contributed to the neglect with which he was treated. In proportion as his friends admired him, and gloried in his fortune, they acted as if he alone were able to surmount every difficulty; and they accordingly were remiss in supporting him. The republic, under the effects of this wretched policy, with all the advantages of her navigation and of her trade, suffered her navy to decline, and permitted the Ro-

mans to obstruct, or molest, all the passages by which she could communicate with her armies in Spain and Italy, or her allies in Sicily and Greece *. They voted indeed to Hannibal, on the present occasion, a reinforcement of four thousand Numidian horse, forty elephants, and a sum of money. But this resolution appears to have languished in the execution; and the armament, when ready to sail, probably by the address of the opposite faction, was suffered to be diverted from its purpose, and ordered to Spain instead of Italy †.

Notwithstanding these mortifications and disappointments, Hannibal still maintained his footing in Italy for sixteen years; and so long gave sufficient occupation to the Romans, in recovering, by slow and cautious steps, what he had ravished from them in three campaigns, and by a few daring examples of ability and valour. When the war had taken this turn, and the Romans, by the growing skill and ability of their leaders, as well as by the unconquerable spirit of their people, began to prevail in Italy, Hannibal, receiving no support directly from Africa, had been for some time endeavouring to procure it from Spain.

Here the two Scipios, Cneius and Publius, by a proper application of the force which they had transported from Italy, in the first or second year of the war, had restored the party of their country, which appeared to have been entirely suppressed by Hannibal in the destruction of Saguntum: but they were,

* Liv. lib. xxviii, c. 4. † Ibid. lib. xxiii, c. 15, and 32.

when least to be expected, betrayed by their allies, and separately cut off.

The natives of Spain had, by their want of union or national conduct, as has been mentioned, suffered many establishments to be made by foreigners in their country. They had permitted the Carthaginians, in particular, to possess themselves of a considerable territory; and afterwards, in order to remove them, allowed similar encroachments to be made by the Romans whose aid they solicited. And during the contest of those parties, occasionally applied for protection to either against the other; being during the greater part of this war the unstable friends or irresolute enemies of both.

Upon the unfavourable turn which the inconstancy of this people had given to the affairs of Rome in that country; a service of so much danger, so remote from the principal scene of the war, and so little in the way of acquiring reputation or glory, not being an object for any of the ordinary officers of State, was in danger of being neglected, until Publius Cornelius Scipio, son of the elder of the two brothers who had both recently fallen in the field, solicited the honour of succeeding to their command.

This young man was already known by circumstances which recommended him greatly to public favour. He had, at the age of seventeen, beginning his military services, had the good fortune to rescue and preserve his father, who was on the point of being killed or taken by the enemy on the Tecinus. Being afterwards engaged in the battle of Cannæ, and one of a band of young men who forced their

way to Cannusium, he prevented the execution of a design they formed to abandon Italy, obliging them severally to bind themselves by an oath, that they would remain and contend for the fortunes of their country to the last.

Many of the more severe forms of the commonwealth having been dispensed with in the present exigencies of the State; this young man had been already admitted into public office, though under the legal standing and age; being only turned of twenty-four, one year younger than Hannibal was when he took the command of the Carthaginian army, and four years younger than he was when he marched into Italy. Upon the arrival of this young man in Spain, with a reinforcement of ten thousand men, and thirty galleys or armed ships, he found the remains of his vanquished countrymen within the Iberus, or on the left of that river, in a place of retreat, to which they had been conducted by Lucius Marcius, with an ability which, in the midst of disaster, the Romans wisely rewarded equally with the most brilliant successes.

Here Scipio accordingly landed, and fixed his principal quarters for the winter at Tarraco*. By his information of the posture of the enemy, it appeared that they had placed their principal stores and magazines at New Carthage, and thinking this place sufficiently secured by its garrison of one thousand men, had separated their army into three divisions, of which none was nearer to New Carthage

* Now Tarragona.

than ten days' march. He himself was indeed farther removed from this place, being at the distance of about three hundred miles; he nevertheless formed the project of surprising it, trusting to the apparent security of his enemies, and the prospect of being able to accomplish the greater part of his march, before his design should be suspected, or any measures could be taken to prevent its effect. He accordingly succeeded in his enterprise, and gave his enemies occasion to know, that they were still to contend for the possession of a country, which they began to consider as a place of arms, from which they were to supply the exigencies of the war in Italy.

Of the Carthaginian commanders now in Spain, two are mentioned of the same name, Hasdrubal the son of Hamilcar, and consequently the brother of Hannibal, and another Hasdrubal the son of Gisgo, with Mago, Hanno and others.

The good policy of either the Romans or Carthaginians, in employing any considerable part of their forces in Spain, may be questioned, whilst the former were contending for their own existence at home, and the other were aiming a blow at the very vitals of their enemy, within the precincts of their own domain. But to Carthage, Spain was a principal source of supply and recruit to their armies; and to Rome, of course, it was material to employ at a distance any part of their enemies force, or to disturb them in the possession of a province, from which they had already made war upon Italy by land, and with such effect as their greatest superiority at sea had never before enabled them to obtain.

It appears, that about the time of the young Scipio's arrival in Spain, the Carthaginian leaders were specially occupied in preparing a reinforcement for Hannibal in Italy. The choice of their forces, with every requisite for undertaking an arduous march by the Pyrenees, Gaul, and the Alps, were mustered under Hasdrubal the son of Hamilcar; and another army, still more numerous, under Hasdrubal the son of Gisgo, was prepared, by occupying the Roman forces in Spain, to cover the march of the former.

Scipio, after the reduction of New Carthage, had returned to his former quarters at Tarraco, as being for him the proper station from which to observe the motions of the enemy, and oppose them in case they should attempt to pass the Iberus, or direct their march towards Gaul. It being necessary, therefore, to the execution of their plan, to withdraw the Roman general from his station, their whole force was put in motion, and pointed towards New Carthage, as for the recovery of their communication with Africa, which they had suffered in the preceding campaign to be cut off; and Hasdrubal the son of Hamilcar, as forming the advanced corps of their army on this destination, took a post on the Boetis, from which he threatened that place with a siege. Scipio thus alarmed, made haste to cover his new acquisition, and to contend with the first division of the enemy, before the second could advance to give it support. At his arrival in those parts, Hasdrubal still remained in his station, and had not been joined by his colleague.

In these circumstances it appeared expedient for the Romans to risk an immediate attack; and Hasdrubal, having gained his object in removing Scipio from his station, took the opportunity of a seeming retreat to enter on his route towards Italy. Scipio, though victorious, apprehending the immediate approach of a more numerous enemy, declined placing himself betwixt two hostile armies, by attempting to pursue his victory; and in this manner seemed to be outwitted by the enemy, whose object it was merely to open the way for the march of Hasdrubal, and his passage of the Iberus. Of this effect Scipio was soon aware, and though he could not himself follow, sent parties to observe the enemy, and in particular to watch their approach to the Pyrenees; and being soon apprised of their design upon Italy, sent information to Rome, and gave notice of the danger impending from the passage through the Alps of a second Carthaginian army, commanded by another son of Hamilcar *.

This intelligence produced at Rome a proportional alarm. The city and its colonies were forced

* In this transaction Scipio may appear to have been overreached; and in respect to the address of his enemy, there is no doubt, that, admitting the object they pursued to be of sufficient consequence to be preferred to the reputation of victory, and to be attainable, even under the loss and discouragement of a defeat, the plan was by them ably laid, and carried into execution. But even on this supposition, Scipio must be acquitted of any mistake or defect of conduct. He advanced to cover an important station which the enemy might have seized, if he had not taken this measure. He took advantage of their separation to strike a decisive blow; and probably to disconcert any immediate project of offensive war. On a discovery of their march into Italy, what remained for him to do was not neglected; the enemy were carefully observed, and seasonable intelligence sent to Rome of their apparent intentions.

to take arms, and whilst one of the Consuls, Claudius Nero, was destined to make head against Hannibal in Lucania or Apulia, the other, Livius Salinator, was posted on the Sena, the route by which Hasdrubal, if he should surmount the difficulties of his march, was likely to attempt a junction with his brother.

To aid these defences, Scipio had also detached a considerable body from his army in Spain, which passed by sea into Italy.

Of Hasdrubal's march we are now only told, that he followed the steps of his brother by the Pyrenees, the Rhone and the Alps; that his march was greatly facilitated by the opening which had been made by Hannibal in different passes; and that nations on his route, now more familiar with strangers, either gave him no obstruction, or, being inclined to favour his enterprise against the Romans, actually joined him, and enabled him to make his descent into Italy much sooner than had been expected either by his friends or his enemies *; and, if he had not lost some time in a fruitless attempt upon Placentia, he might have had all the advantage of surprise in pursuing the object of his enterprise.

Whilst the family of Hamilcar were struggling for that ascendant in Spain, which was to enable them to make this second irruption by the Pyrenees and the Alps; the war both in Italy and Sicily was attended with many operations and events which, if detailed, might have furnished many proofs of dis-

* Liv. lib. xxvii, c. 39.

tinguished ability, highly interesting to those who are qualified to receive instruction from such examples of conduct and their effects; but the defect of materials, notwithstanding the eloquent narrations of Livy, consisting chiefly of fragments from Polybius, the principal military historian of those or any other times, reduce the account to a mere endeavour to connect the principal acts of the drama with one another, and with the catastrophe or general result.

The fortunes of Hannibal, as we have already observed, had been some time on the decline. Capua and Tarentum, notwithstanding his utmost exertions of skill to preserve them, had been retaken by the Romans. Whilst the first of these places was besieged, he attempted to force the enemy's lines, and, being repulsed, made the feint of a hasty march by the higher grounds towards Rome itself, and actually encamped with his army on the Anio, about three miles from the gates of the city, from which he could see the battlements, though no part of the city itself, the ground on which it stands having a declivity or shelving towards the river. On this occasion took place the bravados mentioned by Livy, of Hannibal setting up to sale in his camp the Forum, and some principal warehouses of Rome, in return for the purchase, which, he was told, was made at a high price, of the very field on which he himself was encamped *. But neither this feint, nor the arrival of

* At this time also, by the same authority, Hannibal, who was sometimes witty, was pleased to be smart upon himself. This town, he said, I shall never take; when I could, I would not, and now, when I would, I cannot.

his brother in Italy, formed any effectual diversion in his favours.

When the Carthaginian reinforcement from Spain had passed the Po, Hannibal being in a kind of stationary camp, opposed to Claudius the Roman Consul, had not any intimation of his brother's approach. The letters which Hasdrubal had sent for this purpose, by some Gaulish horsemen in disguise, being intercepted, and carried to the Roman Consul in his camp, who upon this intelligence sent the letters to Rome, suggested the necessity of forming a camp at Narnia, to cover the city on that side, while he himself stole from his station in the night, with a considerable body, to join his colleague Livius on the Sena, and endeavour to cut off the approaching reinforcement before Hannibal could take any measures to effect their junction. At his arrival in the camp of Livius, both armies, to conceal his arrival, were crowded within the same intrenchments; and Hasdrubal, thinking himself a match for Livius alone, had advanced within half a mile of his front; but there, notwithstanding the care of the Romans to conceal their force, suspecting an increase of their numbers, he thought proper to withdraw, probably meaning to take some post in which he could defend himself, and await the effect of the notice he had sent to his brother. In this movement by night he incurred some difficulty in repassing the Metaurus, a river which falls into the Hadriatic in the neighbourhood of Fano: And, in these circumstances, was attacked by the two Roman Consuls, defeated, and slain, with the loss of his whole army;

of whom about fifty thousand were either killed or taken *.

Upon this event, and the reduction of Syracuse, by which the party of Carthage in Sicily was entirely overwhelmed, the Roman settlers every where, who had so long left their possessions a prey to their enemies, now returned to their habitations, and resumed their labours †. And there could be no doubt that the war in Italy on the part of Hannibal, at least until he should receive succours either from Carthage or his ally the king of Macedonia, must remain altogether on the defensive: And from this time, accordingly, he contracted his quarters, withdrew his posts from Apulia, and gave notice to all his partisans in Italy, or to such as had any just cause to apprehend the resentment of Rome, that they should retire under the cover of his army in

* On the fall of Hasdrubal, the Roman historian, as well as poet, makes the enemy himself attest the glory of their country, or pay court to his patrons in exclamations of dismay or despair. "Annibal tanto simul publico familiarique "ictus luctu, *agnoscere se fortunam Carthaginis fertur dixisse.*" Liv. lib. xxvii, c. 51. And the poet, paying court to the Neros of his time,

Quid debeas, O Roma, Neronibus,
Testis Metaurum flumen, et Hasdrubal;—
Dixitque tantem perfidus Hannibal:
Cervi, luporum præda rapacium,
Sectamur ultro, quos opimus
Fallere et effugere est triumphus.
HORAT. Carm. lib. 4, ode 4.

This is no doubt excusable in the poet, as agreeable to the allowed privilege of the profession; but in history it is surely a blemish to mix nationality with facts, or to adopt a report which makes the steady and resolute Hannibal utter words to the encouragement of his enemies, and the dismay of his own army. The sequel shows that he was a person not capable of such folly, and destined to the last to contend for the fortune of his country with unabating courage.

† Livy, lib. xxvii, c. 45, 46.

Bruttium, now Calabria. Here he made the necessary dispositions to subsist his army, and to secure their quarters; and, as if the subject of his history were ripe to be entered on record, he erected those famous monuments, which are cited by Polybius, and on which were engraven the particulars of his march from Spain, and the numbers of his army in different periods of the war.

While matters in Italy were coming into this posture, the forces of Rome were no less prevalent in Spain. The young Scipio, after the departure of Hasdrubal, had well supported the reputation he gained in his first outset in that country; routed and dispersed the Carthaginian army, though strongly reinforced from Africa to support the operations of the two brothers in Italy; took one of the generals; and obliged Mago, with what force he could collect, to embark at Gades, where he waited the orders of Carthage, whether to return into Africa, or ply upon the coasts of Europe, wherever they might most effectually annoy or alarm the enemy.

In the midst of these successes, the Roman general gained no less among the natives of Spain, and the other late allies of Carthage, by a title new in the wars of Rome, and of every ancient nation, that of his clemency, and the reputation of a generous treatment of his captives and those he had subdued.

Numidia being at this time divided under two rival sovereigns, Syphax and Massinissa, the latter having his forces in Spain joined with those of Carthage, now partook in their recent defeats; the other had opened a correspondence with the Ro-

mans, during the dependence of events in that country. And Scipio, while he encouraged the advances that were made by Syphax, also procured, on his late victories, a pacific interview with Massinissa, and actually passed into Africa, and to the Court of Numidia, where he understood Hasdrubal, the son of Gisgo, was gone to secure the alliance of Syphax.

With thoughts thus intent on the advantages that might be obtained for his country by a correspondence in Africa, as well as in Spain, after an interval of five years from the time of his appointment to command, Scipio returned with much treasure, many captives, and a high reputation, to make his report at Rome, and was in condition to assure his fellow-citizens, that they had no longer any enemies to dread in the country he left.

The Romans had been hitherto preserved in all the extremities of their fortune, by the felicity of their national character, or by the interest which every citizen took in the support of a political station, which, although it could not confer the superiority of genius, yet raised ordinary men to a degree of elevation approaching to heroism, and enabled the state they composed to subsist in great dangers, and to await the casual appearance of men, who receive from the hand of Nature that eminence of power which no culture can otherwise bestow. They had not yet opposed to Hannibal any antagonist of talents similar to his own, or of a like superiority to the ordinary race of men. This Scipio was the first who gave undoubted proofs of his title to this character. He was yet under thirty years of

age; and particulars of every sort relating to men of superior genius and virtue being interesting to mankind, it is even pleasing to know that this young man, according to Livy, was tall and graceful in his person, with a beautiful countenance and engaging aspect; circumstances which the people are glad to find in their favourites, or which, when found, do not fail to contribute materially to the public choice. He was not yet by his age legally qualified to be admitted as candidate for the highest rank in the commonwealth; but the services he had recently performed, and the hopes of his country, procuring a dispensation from the law, the election of Consul was declared in his favour: And when the provinces, in the usual form, came to be set forth, and assigned to the officers of state, he moved, that Africa should be included in the number of provinces for the year, and be allotted to himself. There, he said, the Carthaginians may receive the deepest wounds, and from thence be most effectually obliged, for their own safety, to recall their forces from Italy *.

Mago, in the year that followed his defeat, and the embarkation of the remains of his army at Gades, being unable to form any considerable enterprise on the coasts of Spain, had orders to make sail for Italy, and once more endeavour to reinforce the army of Hannibal; but having lost some time in a fruitless attempt on New Carthage, he received a second order, as still likely to distract the enemy, to

* Appian. de Bello Punico.

land at Genoa, and endeavour to renew the war in Liguria and Cisalpine Gaul.

Such was the state of affairs when Scipio proposed to invade Africa. The proposal was unfavourably received by the greater part of the Senate. It seemed to be matter of surprise, that while Rome itself lay between two hostile armies, that of Hannibal in Bruttium, and that of Mago in Liguria or Gaul, the Consul should propose to strip the Republic of so great a force as would be required for the invasion of Africa. The fatal miscarriage of Regulus on that ground in a former war, the unhappy effect of precipitant counsels in the beginning of the present, were cited against him: and the desire of so arduous a station was even accounted presumptuous in so young a man.

The question was no doubt difficult, and likely to divide the young and the old; the first, for the most part, incline to the side of enterprise, the aged can forego the most flattering prospects for the sake of safety. Among the difficulties which Scipio met with in obtaining the consent of the Senate in the execution of his plan, is mentioned the disinclination of the great Fabius, who, from a prepossession in favour of that dilatory war by which he himself had acquired so much glory, and by which, at a time when procrastination was necessary, he had retrieved the fortunes of his country, obstinately opposed the adopting of this hazardous project.

It had been, generally, an established maxim in the counsels of Rome, to carry war, when in their power, into the enemy's country. They had been

obliged to refrain in the present case only by the unexpected appearance of Hannibal in Italy, and were likely to return to the execution of their first design as soon as their affairs at home should furnish them with a sufficient respite. We may, therefore, conceive what they felt of the difficulties of the present war, from this and other circumstances, That even after fortune had so greatly inclined in their favour, they did not yet think themselves in condition to retaliate on the enemy; or safe against the designs which Hannibal might form in Italy, if they should divide their armies, or detach so great a part of their force as might be necessary to execute the project of a war in Africa.

They concluded, however, at last, with some hesitation, that while the other Consul should remain opposed to Hannibal in Italy, Scipio might have for his province the Island of Sicily, dispose of the forces that were still there, receive the voluntary supplies of men and of money, which he himself might be able to procure; and if he found, upon mature deliberation, a proper opportunity, that he might try the effect of a descent upon Africa. Agreeably to this resolution, he set out for the province assigned him, having a considerable fleet equipped by private contribution, and a body of seven thousand volunteers, who embarked in high expectation from the leader, and the service in which he proposed to employ them *.

Scipio, thus furnished, instead of instructions, with

* Appian. de Bell. Punic.

a mere permission to make war at his own risk, and accountable for what he should attempt, as well as for the fidelity of his own conduct, passed into Sicily, and employed the whole year of his Consulate in making preparations for what might occur in his province. In this interval, however, having access by sea to the coasts which were occupied by Hannibal in Italy, he forced the town of Locri, and posted a garrison there, under the command of Pleminius, an officer, whose singular abuses of power in that station became the subjects of complaint at Rome, and drew some censure on the Consul himself, by whom he was employed, and supposed to be countenanced, even in his crimes.

Scipio was said, on this occasion, not only to have connived at the outrages committed by Pleminius, whom he had stationed at Locri, but to have been himself, while at Syracuse, abandoned to a life of effeminacy and pleasure, unworthy of a person intrusted with so important a charge. It may appear strange, that this censure should arise from his having shewn a disposition at Syracuse to become acquainted with the learning of the Greeks. His enemies gave out, that he affected the manners of that people; that he passed his time among books, and in public places of conversation and Grecian exercise. Upon these surmises, a commission was granted to the Prætor of Sicily, with ten Senators, two Tribunes of the People, and one of the Ediles, who had orders to join the Prætor in that island, with specific instructions, that if they found Scipio accessary to the disorders committed at Locri, or reprehensible in his

own conduct, they should send him in arrest to Rome; but that, if they found him innocent, he should continue in his command, and be suffered to carry the war wherever he thought most expedient for the good of the commonwealth.

The members of this formidable court of inquiry, having landed at Locri, in their way to Sicily, ordered Pleminius, with thirty of his officers, in chains to Rome: and from Locri, proceeding to Syracuse, they reported from thence, that Scipio was no way accessary to the crimes committed by the troops in garrison at Locri: and that within the district of his own immediate command the allies were fully protected, and the troops preserved in such order and discipline *, as, whensoever they should be employed, gave the most encouraging prospect of success to their country.

Such was the report in favour of this young man, who appears to have been the first Roman statesman or warrior, who shewed any considerable disposition to become acquainted with the literature and ingenious arts of the Greeks. In this particular, his Carthaginian rival is said to have advanced before him, having long studied the language and learning of those nations; and having in his retinue some persons from Greece to aid him in the use of their writings.

Scipio, while he commanded the Roman army in Spain, having already conceived his design upon Africa, had with this view, as has been remarked,

* Liv. lib. xxix, c. 20.

entered into correspondence with Syphax, king of Numidia; and had actually made a visit in person to this prince, who, being then at variance with Carthage, was easily prevailed upon to promise his support to the Romans, in case they should carry the war into that country. The Roman general, now ready to embark with a considerable army, sent Lælius with the first division, probably to examine the coast, to choose a proper station at which to fix the assembling of his fleet, and to call upon the king of Numidia to perform his engagements.

This division of the fleet, at its first appearance, was supposed to bring the Roman Proconsul, with all his forces, from Sicily; and the Carthaginians, whatever reason they might, for some time, have had to expect this event, were, in a great measure, unprepared for it. They had their levies to make at home, and troops to hire from abroad; their fortifications were out of repair, and their stores and magazines unfurnished. Even their fleet was not in a condition to meet that of the enemy. They now hastened to supply these defects; and, though undeceived with respect to the numbers and force of the first embarkation, they made no doubt that they were soon to expect another: accordingly they continued their defensive arrangements, and took measures to secure themselves, or to avert the storm with which they were threatened.

They had recently made their peace with Syphax, king of Numidia; and, instead of an enemy in the person of this prince, had obtained for themselves a zealous ally. Tempted by his passion for Sophonis-

ba, the daughter of Hasdrubal, a principal citizen of Carthage, who refused to marry him on any other terms, he had broken off his engagements with Scipio and the Romans. But this transaction, which procured to the Carthaginians one ally, lost them another; for this high-minded woman, who, instead of a dower, contracted for armies in defence of her country, had formerly captivated Massinissa, another Numidian prince, who, being at variance with Syphax, and receiving his education at Carthage, had formed his attachments there *. Massinissa, while he had hopes of an alliance with the family of Hasdrubal, engaged all his forces and partisans in Numidia in behalf of the Carthaginians; and he himself in person had fought their battles in Spain. But, stung with his disappointment, and the preference which was given to his rival, he determined to court the favour of their enemies; had made advances to Scipio, before his departure from Spain; and now, hearing of the arrival of the Roman fleet, hastened to Hippo, where Lælius had come to an anchor, and made offer of his assistance, with that of his partisans in the kingdom of Numidia, and all the forces he could bring into the field.

Such was the state of parties in Africa, when that country was about to become the scene of war. The Carthaginians, still in hopes of diverting the storm, sent earnest instructions to both their generals to press upon the Romans in Italy, and to make every effort to distract or to occupy their forces, and to

* Appian. de Bell. Hispan. p. 275.

leave them no leisure for the enterprise abroad. They sent, at the same time, an embassy to the king of Macedonia, to remind him of the engagements into which he had entered with Hannibal, and to represent the danger to which he and every other prince must be exposed from a people so ambitious as the Romans, if they should be suffered to unite by a conquest, the resources of Carthage with those of Rome.

Philip, at the earnest entreaty of many Grecian states, who were anxious that the Romans should have no pretext to embroil the affairs of Greece, had, in the preceding year, made a separate peace, first with the Etolians, and afterwards with the Romans themselves *; and was now extremely averse to renew the quarrel. The occasion, however, appeared to be of great moment; and he listened so far to the remonstrances of the Carthaginians, as to furnish them with a body of four thousand men, and a supply of money.

By such measures as these, hastily taken on the approach of danger, the Carthaginians endeavoured to make amends for the former remissness of their counsels. Hitherto they appear to have proceeded in the war with little concern, and to have intrusted their exertions to the ambition of a single family, by whose influence the State had been engaged in the quarrel †. They neglected their strength at home, in proportion as they believed the enemy to be at a distance; and men so intent upon lucrative pursuits

* Liv. lib. xxix, c. 13.

† The sons of Hamilcar.

were indifferent to national objects, while their private interests appeared to be secure.

The harbour of Hippo, about fifty miles west from Carthage, and under the Fair Promontory, being seized by Lælius, furnished a place of reception for Scipio's fleet. This officer accordingly sailed from Sicily with fifty armed galleys, and four hundred transports. As he had reason to expect, that the country would be laid waste before him, great part of this shipping was employed in carrying his provisions and stores. The numbers of his army are not mentioned. His first object was to make himself master of Utica, situate about half-way between Carthage and Hippo, the place where he landed. He accordingly, without loss of time, presented himself before it; but soon found himself unable to obtain his end. The country, to a considerable distance, was desolate or deserted by the natives, and could not subsist his army. The Carthaginians had a great force in the field, consisting of thirty thousand men, under Hasdrubal the son of Gisgo, together with fifty thousand foot and ten thousand horse, under Syphax king of Numidia, who now advanced to form a junction with the forces of Carthage.

Scipio, on the approach of these numerous armies, withdrew from Utica, took possession of a peninsula on the coast, fortified the isthmus which led to it, and in this situation having a safe retreat, both for his fleet and his army, continued to be supplied with provisions by sea from Sardinia, Sicily, and Italy. But being thus reduced to act on the defensive in the presence of a superior enemy, and not likely,

without some powerful reinforcements from Rome, to make any further impression on Carthage, he had recourse to a stratagem which, though amounting nearly to a breach of faith, was supposed to be allowable in war, at least with an African enemy.

The combined armies of Carthage and Numidia lay in two separate encampments, and, it being winter, were lodged in huts covered with brushwood and the leaves of the palm. In these circumstances the Roman general formed a design to set fire to their camp, and, in the midst of the confusion which that alarm might occasion, to attack them in the night. In order to gain a sufficient knowledge of the ground, and of the ways by which his emissaries must pass in the execution of this design, he entered into a negotiation, and affected to treat of conditions for terminating the war. The apparent distress of his situation procured credit to these advances, and his deputies, under this pretence, being freely admitted into the enemy's camp, brought him minute information of their position, and of the avenues which led to different parts of their station.

Being possessed of these informations, Scipio broke off the treaty, advanced with his army in the night, and, in many different places at once, set fire to Hasdrubal's camp. The flames, being easily caught by the dry materials, spread with the greatest rapidity. The Carthaginians, supposing that these fires were accidental, and having no apprehension that an enemy was near, ran without arms to extinguish them: And the Numidians, with still less concern, left their huts to gaze on the scene, or to lend their assistance.

In this state of security and confusion, the Romans attacked and dispersed them with great slaughter *; and Scipio being, in consequence of this action, again master of the field, returned to Utica, and renewed the siege or blockade of that place.

In such a surprise and defeat as the African armies had now received, they were likely to have lost their arms and their baggage, and to have no where numbers together sufficient to withstand an enemy; on this supposition, it had been already proposed at Carthage to have recourse to their last resort, the recalling of Hannibal from Italy. But upon a report from Hasdrubal and Syphax, that they were again coming and assembling their forces, and that they were joined by a recruit of four thousand men, newly arrived from Spain, this proposal was for some time laid aside. These appearances, however, were speedily blasted by a second defeat which the combined army received before they were fully assembled, and by a revolution which ensued in the kingdom of Numidia itself, where Syphax, pursued by Massinissa and Lælius, was vanquished and driven from his kingdom, which from thenceforward became the possession of his rival, and a great accession of strength to the Romans. On this calamity, Hasdrubal being threatened by the populace of Carthage with vengeance for his repeated miscarriages, and being aware of the relentless and sanguinary spirit of his countrymen, durst not intrust himself in their hands; in a species of exile, accordingly,

* Polyb. lib. xiv, c. 5. Liv, lib. xxx, c. 6.

though with a body of eight thousand men who adhered to him, he withdrew from their service.

In this extremity, there was no hope but in the presence of Hannibal; and expresses were accordingly sent both to Mago and himself, with all the forces they could bring for the defence of their country, to hasten their return into Africa.

Hannibal, it is probable, had for some time been prepared for this measure, having transports in readiness to embark his army; yet, in the usual style of reports adopted by his enemies, he is said to have received the order with some expressions of rage: "They have now accomplished, he said, (speaking "of the opposite faction at Carthage), what, by "withholding from me the necessary supports in "this war, they have long endeavoured to effect. "They have wished to destroy the family of Bar"cas; and rather than fail in their aim, are willing "to bury it at last under the ruins of their coun"try *."

While the Carthaginians were thus driven to what in the state of their policy might be considered as their last resource, Scipio advanced towards their city, and invested at once both Tunis and Utica, places which, though at the distance of above thirty miles from each other, may be considered as bastions on the right and left, which flanked and commanded the country which led to the principal seat of their commerce and power. His approach gave the citizens of Carthage a fresh alarm, and seemed

* Liv. lib. xxx, c. 20.

to bring their danger so near as not to admit of their waiting the arrival of relief from Italy. It appeared necessary to stay the arm of the victor by a treaty; and thirty Senators were accordingly deputed to sue for peace. These deputies, in their address to the Roman Proconsul, laid the blame of the war upon Hannibal, supported, as they alleged, by a desperate faction who had adopted his wild designs. They entreated that the Romans would once more be pleased to spare a republic, which was again brought to the brink of ruin by the precipitant counsels of a few of its members.

In answer to this abject request, Scipio mentioned the terms upon which he supposed that the Romans would be willing to accept of peace. A cessation of arms was concluded, and a negotiation commenced; but it was suddenly interrupted, and its final effect was prevented, by the arrival of Hannibal. This undaunted commander, after many changes of fortune, having taken the necessary precautions to secure his retreat, in case he should be called off for the defence of Carthage; now in the seventeenth year of the war, and after he had supported himself sixteen years in Italy by the sole force of his personal character and abilities, against the whole weight, institutions, resources, discipline, and national character of the Romans, transported his army from thence, landed at Hadrumetum, at a distance from any of the quarters occupied by the Romans, and drew to his standard all the remains of the lately vanquished armies of

U. C. 551.

Carthage, and all the forces which the republic was yet in condition to supply.

These tidings produced a change in the counsels of Carthage, and inspired the people with fresh presumption. They now slighted the faith which they had lately engaged to Scipio, and seized on all the Roman vessels, which, trusting to the cessation of arms, had taken refuge in their bay. They even insulted the messenger whom the Roman general sent to complain of this outrage; and hostilities thus, after a short intermission, were renewed with redoubled animosity and rancour on both sides.

The people of Carthage, under dreadful apprehensions of becoming a prey to the Romans, sent a message to Hannibal, then at Hadrumetum, to hasten his march, requesting him to attack the enemy, and at any hazard to relieve the city from the dangers and hardships of a siege. To this message he made answer, That in affairs of State the Councils of Carthage must decide; but in the conduct of war, the General who commands must judge of his opportunity to fight.

The forcing of Hannibal to evacuate Italy was a victory to Scipio; as this was the first fruit which he ventured to promise from the invasion of Africa. With this enemy, however, in his rear, it was not expedient to continue the attack of Tunis or Utica. He withdrew his army from both these places, and prepared to contend for the field before he could hope to gain any fortress.

The Carthaginian leader having collected his forces at Hadrumetum, marched to the westward, in-

tending to occupy the banks of the Bagrada, and from thence to observe and counteract the operations of his enemy. Scipio, intending to prevent him, or to occupy the advantageous ground on the Upper Bagrada, took his route to the same country; and while both directed their march to Sicca, they met on the plains of Zama.

When the armies arrived on this ground, neither party was in condition to protract the war. Hannibal, whose interest it would have been to avoid any hazardous measures, and to tire out his enemy by delays if he were himself in possession of the country, or able to protect the capital from insult, was in reality obliged to risk the whole of its fortunes, in order to recover its possession from the hands of his enemies, or to prevent their renewing the blockade, from which he had just obliged them to desist.

Scipio was far advanced in an enemy's country, which was soon likely to be deserted by its natives, and exhausted of every means of subsistence; he was far removed from the sea, the principal and only secure source of any lasting supply; surrounded by enemies; a great army under Hannibal in his front; the cities of Utica, Carthage, and Tunis, with all the armed force that defended them, in his rear.

In such circumstances both parties probably saw the necessity of immediate action; and the Carthaginian general, sensible of the unequal stake he was to play, the safety of his country against the fortune of a single army, the loss of which would not mate-

rially distress the nation, determined to try the effect of a treaty, and for this purpose desired a personal interview with Scipio.

In compliance with this request, the Roman general put his army in motion, and the Carthaginians advancing at the same time, they halted at the distance of thirty stadia, or about three miles from each other. The generals, attended by a few horse, met on an eminence between their lines. Hannibal began the conference, by expressing his regret that the Carthaginians should have aimed at any conquest beyond their own coasts in Africa, or the Romans beyond those of Italy. "We began," he said, "with a contest for Sicily; we proceeded to dispute "the possession of Spain, and we have each in our "turns seen our native land overrun with strangers, "and our country in danger of becoming a prey to "its enemies. It is time that we should distrust the "caprice of fortune, and drop an animosity which "has brought us both to the verge of destruction. "This language, indeed, may have little weight "with you, who have hitherto been successful in all "your attempts, and who have not yet experienced "any reverse of fortune; but I pray you to profit "by the experience of others. You now behold in "me a person who was once almost master of your "country, and who am now brought, at last, to the "defence of my own. I encamped within a few "miles of Rome, and offered the possessions round "the Forum to sale. Urge not the chance of war "too far. I now offer to surrender, on the part of "Carthage, all her pretensions to Spain, Sardinia,

" Sicily, and every other island that lies between " this continent and yours. I wish only for peace " to my country, that she may enjoy undisturbed " her ancient possessions on this coast; and I think, " that the terms I offer are sufficiently advantageous " and honourable to obtain your consent."

To this address Scipio replied, " That the Ro- " mans had not been aggressors in the present or " preceding wars with Carthage: that they strove " to maintain their own rights, and to protect their " allies; and that, suitably to these righteous inten- " tions, they had been favoured by the justice of the " gods: that no one knew better than himself the in- " stability of human affairs, nor should be more on " his guard against the chances of war. The terms," he said, " which you now propose might have been " accepted, had you offered them while yet in Italy, " and had proposed, as a prelude to the treaty, to " remove from thence; but now, that you are forced " not only to evacuate the Roman territory, but are " stripped of part of your own, and are already dri- " ven from every post you propose to surrender, " these concessions are no longer sufficient; they " are no more than a part of the conditions already " agreed to by your countrymen, and which they, " on your appearance in Africa, so basely retracted. " Besides what you now offer, it was promised on " their part, that all Roman captives should be re- " stored without ransom; that all armed ships should " be delivered up; that a sum of five thousand ta- " lents should be paid, and hostages given by Car- " thage for the performance of all these articles.

"On the credit of this agreement we granted a "cessation of arms, but were shamefully betrayed "by the councils of Carthage. Now to abate any "part of the articles which were then stipulated, "would be to reward a breach of faith, and to in- "struct nations hereafter how to profit by perfidy. "You may therefore be assured, that I will not so "much as transmit to Rome any proposal that does "not contain, as preliminaries, every article former- "ly stipulated, together with such additional con- "cessions as may induce the Romans to renew the "treaty. On any other terms than these, Carthage "must vanquish, or submit at discretion *."

From this interview both parties withdrew with an immediate prospect of action; and on the following day, neither having any hopes of advantage from delay or surprise, came forth into the plain in order of battle.

Hannibal formed his army in three lines, with their elephants in front.

Scipio drew forth his legions in their usual divisions, but somewhat differently arranged.

Hannibal had above eighty elephants, with which he proposed to begin the action. Behind these he formed the mercenary troops, composed of Gauls, Ligurians, and Spaniards. In a second line he placed the Africans and natives of Carthage; and in a third line, about half a quarter of a mile behind the first, he placed the veterans who had shared with himself in all the dangers and honours of the Italian

* Polyb. lib. xv, c. 6, 7, 8,

war. He placed his cavalry in the wings, opposite to those of the enemy.

Scipio posted Lælius with the Roman cavalry on his left, and Massinissa with the Numidian horse on his right. He placed the manipules, or divisions of the legions, not as usual mutually covering their intervals, but covering each other from front to rear. His intention in this disposition was to leave continued avenues or lanes, through which the elephants might pass without disordering the columns. At the head of each column he placed the Velites, or irregular infantry, with orders to gall the elephants, and endeavour to force them back upon their own lines; or, if this could not be effected, to fly before them into the intervals of the heavy-armed foot, and, by the ways which were left open between the manipules, to conduct them into the rear. It being the nature of these animals, even in their wild state, to be the dupes of their own resentment, and to follow the hunter by whom they are galled, into any snare that is prepared for them *; the design thus formed by Scipio to mislead these animals, accordingly, with respect to many of them, proved successful.

As soon as the cavalry began to skirmish on the wings, Hannibal gave the signal for the elephants to charge. They were received by a shower of missile weapons from the Roman light infantry, and, as usual, carried their riders in different directions. Some broke into their own line with considerable

* Vid. Buff. Hist. Nat.

disorder, others fled between the armies and escaped by the flanks, and many, incited with rage, as Scipio had foreseen, pursued the enemy that galled them through the intervals of the Roman divisions quite out of the action; and in a little time the front of the two armies was cleared of these animals, and of all the irregulars who had skirmished between them whilst they were preparing to engage.

Although the first and second line of Hannibal's foot had advanced, to profit by the impression which the elephants were likely to make; the third line still remained on its ground, and seemed to stand aloof from the action.

In these circumstances, the first line of the Carthaginian army, composed of Gauls and Ligurians, engaged with the Roman legions; and, after a short resistance, were forced back on the second line, who, having orders not to receive them, nor allow them to pass, presented their arms. The fugitives were accordingly massacred on both sides, and fell by the swords of their own party, or by those of the enemy.

The second line, consisting of the African and native troops of Carthage, had a similar fate; they perished by the hands of the Romans, or by those of their own reserve, who had orders to receive them on their swords, and turn them back, if possible, against the enemy.

Scipio, after so much blood had been shed, finding his men out of breath and spent with hard labour, embarrassed with heaps of the slain, scarcely able to keep their footing on ground become slippery with

mud and gore, and under these disadvantages likely to be instantly attacked by a fresh enemy, who had yet borne no part in the contest; he endeavoured, without loss of time, to put himself in a posture to renew the engagement.

His cavalry, by good fortune, in these hazardous circumstances, were victorious on both the wings, and were gone in pursuit of the enemy. He ordered the ground to be cleared; and his columns, in the original form of the action, having been somewhat displaced, he ordered those of the first line to close to the centre; those of the second and third to divide, and gaining the flanks, to form in a continued line with the front. In this manner, while the ground was clearing of the dead, probably by the Velites or irregular troops, he, with the least possible loss of time, and without any interval of confusion, completed his line to receive the enemy. An action ensued, which, being to decide the event of this memorable war, was likely to remain some time in suspense; when the cavalry of the Roman army, returning from the pursuit of the horse they had routed, fell on the flank of the Carthaginian infantry, and obliged them to give way.

Hannibal had rested his hopes of victory on the disorder that might arise from the attack of his elephants, and if this should fail, on the steady valour of the veterans, whom he reserved for the last effort to be made, when he supposed that the Romans, already exhausted in their conflict with the two several lines whom he sacrificed to their ardour in the beginning of the battle, might be unable to contend

with the third, yet fresh for action and inured to victory. He was disappointed in the effect of his elephants, by the precaution which Scipio had taken in opening his intervals, and in forming continued lines for their passage from front to rear; and of the effect of his reserve, by the return of the enemy's horse, while the action was yet undecided *. Having taken no measures to secure a retreat, nor to save any part of his army, he obstinately fought every minute of the day to the last; and when he could delay the victory of his enemy no longer, he quitted the field with a small party of horse, of whom many, overwhelmed with hunger and fatigue, having fallen by the way, he arrived with a few, in the course of two days and two nights, at Hadrumetum. Here he embarked and proceeded by sea to Carthage. His arrival convinced his countrymen of the extent of their loss. Seeing Hannibal without an army, they believed themselves to be vanquished; and, with minds unprovided with that spirit which supported the Romans when overthrown at Thrasimenus and Cannæ, were now desirous, by any concessions, to avert the supposed necessary consequences of their fate.

The riotous populace, who had so lately pursued with vengeance, and threatened to tear asunder, the supposed authors of peace †, were now silent, and ready to embrace any terms that might be prescribed by the enemy. Hannibal, knowing how little his countrymen were qualified to contend with misfor-

* Polyb. lib. xv, c. 16. † Appian. de Bell. Punic, p. 31.

tune, confessed in the Senate that he was come from deciding, not the event of a single battle, but the fate of a great war, and advised them to accept of the victor's terms *. They accordingly determined to sue for peace.

In the mean time, the Roman army, in pursuit of its victory, was returned to the coast; and having received from Italy a large supply of stores and military engines, together with a reinforcement of fifty galleys, was in a condition not only to resume the siege of Utica and Tunis, but likewise to threaten with a storm the capital itself; and, for this purpose, began to invest the town and block up the harbour.

Scipio being himself embarked, and conducting the fleet to its station, was met by a Carthaginian vessel that hoisted wreaths of olive and other ensigns of peace. This vessel had ten commissioners on board, who were authorised to declare the submission of Carthage, and to receive the victor's commands.

The ambition of Scipio might have inclined him to urge his victory to the utmost, that he might carry, instead of a treaty, the spoils of Carthage to adorn his triumph at Rome. But the impatience with which the Consuls of the present and of the preceding year endeavoured to snatch from his hands the glory of terminating the war, may, with other motives, have induced him to receive the submission of the vanquished upon the first terms that appeared sufficiently honourable, and suited to the object of the commission with which he had been charged.

* Polyb. lib. xv, c. 4—17. Liv. lib. xxx, c. 31.

In allusion to this circumstance, he was heard to say, that Claudius, by his impatience to supplant him in this command, had saved the republic of Carthage *. But men seldom act from any single consideration; and Scipio is, in all probability, justly supposed to have had other and nobler motives than this jealousy of a successor. He is even said to have spared the rival of his country, in order to maintain the vigilance of state and the emulation of national virtue. This consideration of an ingenuous mind the Elder Cato, who had served under him in the station of Quæstor, and who was not inclined to flatter, did him the honour to ascribe to him in a speech to the Senate †.

Scipio, having appointed the Carthaginian commissioners to attend him at Tunis, prescribed the following terms:

That Carthage should continue to hold in Africa all that she had possessed before the war, and be governed by her own laws and institutions:

That she should make immediate restitution of all Roman ships or other effects taken in violation of the late truce:

Should release or deliver up all captives, deserters, or fugitive slaves taken or received during any part of the war:

Surrender the whole of her fleet, saving ten galleys of three tier of oars:

Deliver up all the elephants she then had in the stalls of the republic, and refrain from taming or breaking any more of those animals:

* Appian. de Bell. Punic, p. 36. † Ibid.

That she should not make war on any nation whatever without consent of the Romans:

That she should indemnify Massinissa for all the losses he had sustained in the late war:

And, to reimburse the Romans, pay a sum of ten thousand talents *, at the rate of two hundred talents a-year for fifty years.

That the State should give hostages for the performance of these several articles, such as Scipio should select from the noblest families of Carthage, not under fourteen, nor exceeding thirty years of age:

And that, until this treaty should be ratified, they should supply the Roman forces in Africa with pay and provisions.

When these conditions were reported in the Senate of Carthage, one of the members arose, and, in terms of indignation, attempted to dissuade the acceptance of them: but Hannibal, with the tone of a master, interrupted and commanded him silence. This action was resented by a general cry of displeasure; and Hannibal, in excuse of his rashness, informed the Senate, that he had left Carthage while yet a child of nine years old; that he was now at the age of forty-five; and, after a life spent in camps and military operations, returned for the first time to bear his part in political councils; that he hoped they would bear with his inexperience in matters of civil form, and regard more the tendency than the manner of what he had done; that he was sensible

* Near two milions Sterling.

the proposed terms of peace were unfavourable, but he knew not how else his country was to be rescued from her present distress; he wished to reserve her for a time in which she could exert her resolution with more advantage. He hoped that the Senate would, in the present extremity, accept, without hesitation, and even without consulting the people, conditions which, though hard, were, notwithstanding, less fatal to the commonwealth than any one could have hoped for in the night that followed the battle of Zama *.

U. C. 552. The conditions were accordingly accepted, and deputies were sent to Rome with concessions, which in some measure stripped the republic of her sovereignty. The ratification of the treaty was remitted to Scipio, and the peace concluded on the terms he had prescribed.

Four thousand Roman captives were instantly released: five hundred galleys were delivered up and burnt: the first payment of two hundred talents was exacted, and, under the execution of this article, many members of the Carthaginian Senate were in tears. Hannibal was observed to smile, and being questioned on this insult to the public distress, made answer, That a smile of scorn for those who felt not the loss of their country, until it affected their private concerns, was an expression of sorrow for Carthage.

* Polyb. lib. xv, c. 15. Liv. lib. xxx, c. 37.

CHAP. VI.

State of Rome at the peace with Carthage.—Wars with the Gauls.—With the Macedonians.—Battle of Cynocæphalæ.—Peace.—Freedom to Greece.—Preludes to the war with Antiochus.—Flight of Hannibal to that prince.—Antiochus passes into Europe.—Dispositions made by the Romans.—Flight of Antiochus to Asia.—His defeat at the mountains of Siphlus.—Peace and settlement of Asia.—Course of Roman affairs at home, &c.

In the course of the war, which terminated in so distinguished a superiority of the Roman over the Carthaginian republic, the victors had experienced much greater distress than had, even in the last stage of the conflict, fallen to the share of the vanquished. The territory of Rome, for some years, lay waste; habitations were in ruins; slaves and cattle carried off, and the people themselves dispersed. The city was reduced to a scanty supply of provisions, and threatened with famine *. Among other modes of taxation devised at this time, the monopoly of salt was established or renewed; but every public fund, constituted in the ordinary way, being insufficient, the State had recourse to the voluntary contribution of its members, and called for their plate and other ornaments of silver and gold to supply the defect. The

* Polyb. Excerptæ Legationis.

silver coin was debased by a great mixture of alloy, and the copper As was reduced from its late coinage at two ounces to one *. The numbers of the people on the rolls, either by desertion or by the sword of the enemy, uncommonly fatal in such a series of battles, were reduced from two hundred and seventy thousand to nearly the half †.

In the musters and levies, no less than twelve colonies at once withheld their names, and refused their support. Yet, proof against the whole of these sufferings, the Romans maintained the conflict with a resolution, which seemed to imply, that they considered the smallest concession as equivalent to ruin. And in the continued exertion of this unconquerable spirit, in proportion as the pressure of war was removed, their circumstances rose to a flood of prosperity and greatness, corresponding to the low ebb to which they seemed to have fallen in the course of their adverse fortune.

They joined, in Sicily, to their former possessions, the city of Syracuse, and the whole kingdom of Hiero. In Spain, they succeeded to all the possessions, to all the claims and pretensions of Carthage, and became masters of all that had been the subject of dispute in the war. They brought Carthage herself under contribution, and reduced her almost to the state of a province.

---

* Plin. Nat. Hist. lib. iii, c. 3.

† These were probably the citizens fit to carry arms, residing in the city; for it was not yet the practice to enrol those who did not offer their names at Rome

On the side of Macedonia and Illyricum, in their treaty with Philip and his allies, they retained to themselves considerable pledges, not only of security, but of power; and began to be considered in the councils of Greece as the principal arbiters of the fortunes of nations.

In Italy, where their progress was still of greater consequence, they became more absolute masters than they had been before the war. The cantons which, in so general a defection of their allies, had continued faithful to them, were fond of the merit they had acquired, and were confirmed in their attachment by the habits of zeal which they had exerted, and the pride they indulged as partners in so prosperous a cause. Those, on the contrary, who had revolted, or withdrawn their allegiance, were reduced to a state of submission more entire than they had formerly acknowledged; and the sovereignty of the whole, being, till now, precarious and tottering, derived, from the very storm which had shaken it, stability and force.

But, notwithstanding the splendour of such rapid advancement, and of the high military and political talents which procured it, if by any accident the career of the Romans had been stopped at the present conjuncture, their name, it is probable, would never have appeared on the record of polished nations, nor they themselves been otherwise known than as a barbarous horde which had fallen a prey to more fortunate assertors of dominion or conquest.

The Romans, being altogether men of the sword, or of the State, made no application to letters, or

sedentary occupations. Cato is introduced by Cicero as saying, That it had been anciently the fashion at Roman feasts to sing heroic ballads in honour of their ancestors; that this custom had been discontinued in his own time; and it is probable, from the great change which their language underwent in a few years, that they had no popular standard in writing, or even in oral tradition, by which the uniformity of language has, in other instances, been longer preserved. They had hitherto no historian, poet, or philosopher; and it was only now, that any taste began to appear for the compositions or works of such hands. Fabius, Ennius, and Cato, became the first historians of their country, and raised the first literary monuments of genius that were to remain with posterity *.

The inclination which now appeared for the learning of the Greeks was, by many, considered as a mark of degeneracy, and gave rise to the never-ending dispute, which, in this as in other nations, took place between the patrons of ancient and modern times. The admirers of antiquity, being attached to what they received from their ancestors, were disposed to reject even real improvements, and seemed willing to stop the progress of ingenuity itself. The gay, and the fashionable, on the other hand, liked what was new; were fond of every change, and would ever adopt the latest invention as the model of elegance as well as fashion.

To the simplicity of the Roman manners in other

* In the sixth century of Rome.

respects, and to the ability of the most accomplished councils of State, was joined a very gross superstition, which led to many acts of absurdity and cruelty. In this particular it appears, that the conceptions of men, however they may affect the conduct of private life, are altogether unconnected with their civil and political, as well as military character; and that the rites they adopt, even when innocent, and the most admissible expressions of worship, do not deserve to be recorded for any other purpose, than to shew how far they are arbitrary, and how little, in many instances, they are directed, even among nations otherwise the most accomplished, by any rule of utility, humanity, or reason.

A little time before the breaking out of the late war, the Roman Senate, upon the report of a prophecy, that the Gauls and the Greeks were to possess the city, ordered a man and a woman of each of those nations to be buried alive in the market-place; supposing, we may imagine, that, by this act of monstrous injustice and cruelty, they were to fulfil or elude the prediction *. They attended to the numberless prodigies that were annually collected, and to the charms that were suggested to avert the evils which those prodigies were supposed to presage, no less than they did to the most serious affairs of the Commonwealth †. They frequently seemed to impute their distresses, more to the neglect of superstitious rites, than to the misconduct of their officers, or to the superiority of their enemies. Fabius, who, by

* Plutarch, in vit. Marcell. † Vid. Liv. passim.

perseverance and steadiness, in a time of adversity, had the merit of restoring their affairs, was no less celebrated for his diligence in averting the effect of prodigies and unhappy presages, than he was for the conduct and ability of a cautious and successful commander *. Even Scipio is said to have been influenced by his dreams, and to have had his special revelations: But in a mind like his, even dreams and revelations might partake of the soil in which they spring up, and be the suggestions of sound reason itself. From such examples, however, we may learn the fallacy of partial representations of national character, and be warned to avoid any inference from the defects or accomplishments which individuals or nations may exhibit of one kind, to establish those of another.

The peace with Carthage was introduced with some popular acts, in favour of those who had suffered remarkably in the hardships and dangers of the war. Large quantities of corn, that had been seized in the magazines of the enemy, were sold in the city at a low price; and a considerable distribution of land was made to numbers of the people in reward of their long and perilous services.

These precedents, however reasonable in the circumstances from which they arose, became the sources of great abuse: idle subjects, in the sequel, were taught to rely on public gratuities, and were made to hope, that, in the midst of sloth and riot, they might subsist without care, and without in-

* Plutarch. in vit. Fab. Max.

dustry. Soldiers were taught to expect extraordinary rewards for ordinary services; and ambitious leaders were instructed how to transfer the affection and the hopes of the legions from the republic to themselves.

The treaty with Carthage, while it terminated the principal war in which the Romans were engaged, being still short of absolute peace, only left them at leisure to pursue a variety of quarrels, which yet remained on their hands. The Insubres, and other Gaulish nations on the Po, although they had not taken the full advantage, which the presence of Hannibal in Italy might have given them against the Roman usurpations, were unable to remain at peace, and were unwilling to acknowledge the assumption of power in any nation over their own. Having a Carthaginian exile, of the name of Hamilcar, at their head, they attempted again to dislodge the colonies of Cremona and Placentia; and, on that side, with various events for some years, furnished occupation to the arms of the republic.

Philip, notwithstanding the treaty of peace, which, about three years before, he had concluded with the Romans, had lately supplied the Carthaginians with an aid of four thousand men, and a sum of money. Of the men he had sent to the assistance of Carthage, many had been taken at the battle of Zama, and detained as captives. Trusting, however, to the authority of his crown, he sent, while the treaty of peace betwixt the Romans and Carthaginians was in agitation, a message to demand the enlargement of his subjects. To this message the Senate replied

with disdain, that the king of Macedonia appeared to desire a war, and should have it.

Numbers, at the same time, wearied and exhausted with the late contest, engaged in this with uncommon reluctance. The Senate, they thought, was directed by the ambition of its members, who never ceased to seek for new subjects of triumph, and for fresh occasion of military honours to themselves. Upon the question being put, notwithstanding their aversion to indulge their leaders in such pursuits, the people were persuaded to give their consent, upon a representation of the great encroachments which were making by the king of Macedonia on his neighbours, and the supposed necessity of carrying the war into his own country, in order to check or prevent his designs even upon Italy itself.

Philip, from being the head of a free confederacy, in which the Achæans, and many other states of Greece, were combined, aspired to become the despotic sovereign of that country; and, either by insinuation or force, had made himself master of most places of consequences round the Ægean Sea, whether in Europe or Asia. Upon the death of Ptolemy Philopater, and the succession of an infant son of that prince to the throne of Egypt, the kings of Macedonia and Syria had entered into a concert to divide between themselves the possessions of the Egyptian monarchy; and Philip, in order to be ready for this more distant operation in the East, was busy in reducing the places which still held out against him in Greece, and its neighbourhood.

For this purpose he had sent an army with orders to take possession of Athens, and was himself employed in the siege of Abydos. The Athenians sent a message to Rome to sue for protection. "It is no "longer a question," said the Consul Sulpicius, in his harangue to the People, "whether you will have "a war with Philip, but whether you will have that "war in Macedonia or in Italy. If you delay un- "til Philip has taken Athens, as Hannibal took Sa- "guntum, you may then see him arrive in Italy, not "after a march of five months, and after the pas- "sage of tremendous mountains, but after a voyage "of five days from his embarkation at Corinth."

These considerations decided the resolution of the Roman People for war; and the officers, yet remaining in Sicily at the head of the sea and the land forces which had been employed against Carthage, had orders, without touching on Italy, to make sail for the coast of Epirus.

The Consul Sulpicius being destined to command in this country, found, upon his arrival, that Attalus, the king of Pergamus, and the republic of Rhodes, had already taken arms to oppose the progress of their common enemy. In concert with these allies, and in conjunction with the Dardanians and other cantons who joined him on the frontiers of Macedonia, the Roman Consul was enabled to relieve and to protect the Athenians. But the other states of Greece, though already averse to the pretensions of Philip, and impatient of his usurpations; even the Etolians, though the most determined opponents of this prince; seemed to be undecided on

this occasion, and deferred entering into any engagement with the Romans. The reputation of the Macedonian armies was still very high; and it was doubtful, whether these Italian invaders, considered as an upstart and a barbarous power, might be able to protect the states that declared for them against the vengeance of so great a king *.

The two first years of the war elapsed without any decisive event. Philip took post on the mountains that separate Epirus from Thessaly, and effectually prevented the Romans from penetrating any farther. But, in the third year, Titus Quintus Flamininus, yet a young man under thirty years of age, being Consul, and destined to this command, brought to an immediate issue a contest which, till then, had been held in suspense.

The Roman armies, except in their first encounters with Pyrrhus, had never measured their force, nor compared their advantages with any troops formed on the Grecian model, and, to those who reasoned on the subject, the legion may have appeared greatly inferior to the Macedonian phalanx. One presumption, indeed, had appeared in favour of the Romans, that both Pyrrhus and Hannibal had been induced, by experience, to adopt their weapons, though there is no account of their having imitated the legion in its order of battle, or in the disposition of its manipules.

The phalanx was calculated to present a strong and impenetrable front, supported by a depth of co-

* Plutarch, in vit. Flamin. p. 407.

lumn, which might be varied occasionally to suit with the ground. The men were armed with lances of twenty-one or twenty-four feet in length. The five first ranks, in levelling their shafts, could extend their points beyond the front of their line. The remainder, by resting their spears obliquely on the shoulders of those that were before them, formed a kind of shed to intercept the missiles that showered from a distance; and, with their pressure, supported or urged on to the enemy, the weight of a column so formidably armed in the front.

In the shock of the phalanx and legion, it is computed, that every single man in the first rank of the legion, requiring a square space of six feet in which to ply his weapons, and acting with his buckler and sword, had ten points of the enemy's spears opposed to him *: nevertheless, the strength of the phalanx being entirely collected abreast, and depending on the closeness of its order; when attacked on the flank or the rear, when broken or taken by surprise, and unformed, it was easily routed, and was calculated only for level ground, and the defence of a station accessible only in one direction.

The Roman manipules could face to the right, the left, or the rear; and the legion had a separate force in every small division, or even in the arms of every single man; and, if they had space enough to ply their weapons, could scarcely be taken by surprise, or be made to suffer for want of a determinate order. It was serviceable, therefore, upon any ground, and,

* Polyb. lib. xvii, c. 23.

except on the front of the phalanx, had an undoubted advantage over that body.

In its ordinary form, the legion made its attack on separate points, or at sensible intervals; and its impressions had a tendency to bend or disjoin the front of the phalanx. The manipules of the second line were made to face the intervals of the first, in order to take advantage of any break or disorder in the front of the enemy, whether they repulsed and pursued, or gave way to the divisions that attacked them.

Such are the reasonings which occurred to military men, at least after the events of the present war. In the mean time the Romans, in whatever degree they comprehended this argument, had sufficient confidence in their own weapons, and in their loose order, to encounter the long spear and compacted force of their enemy.

When Flamininus arrived in Epirus, Philip received him in a rugged pass, where the Aöus bursts from the mountains that separate Epirus from Thessaly. This post was strong, and could be defended even by irregular troops; but the phalanx, in this place, had none of its peculiar advantages; the Romans got round it upon the heights, and obliged the king of Macedonia to retire. He fled through Thessaly; and, to incommode the enemy in their attempts to pursue him, laid waste the country as he passed.

U. C. 555.

The flight of Philip determined the Etolians to take part in the war against him; and the Roman general, after the operations of the campaign, being

to winter in Phocis on the Gulf of Corinth, found, that the greater part of the Achæan states were likewise disposed to join him. He took advantage of this disposition, and got possession of all the towns in the Peloponnesus, except Corinth and Argos, which still continued in alliance with the enemy.

In the following spring, Philip having, with great industry, collected and disciplined the forces of his kingdom, received Flamininus in Thessaly. The armies met in the neighbourhood of Pheræ; but the country, being interspersed with gardens, and cut with plantations and hedges, the king declined a battle, and withdrew. Flamininus, knowing that he had magazines at Scotusa, supposed that he was gone towards that place, and followed by a route that was separated from that of the king by a ridge of hills. In the first day's march, the Romans and Macedonians were hid from each other by the heights; and on the second day they were covered by a thick fog, which hindered them from seeing distinctly even the different parts of their own armies.

The scouts and advanced parties on both sides, had, about the same time, ascended the heights to gain some observation of their enemy. They met by surprise, and could not avoid an engagement. Each party sent for support to the main body of their respective armies. The Romans had begun to give way, when a reinforcement arrived, that enabled them, in their turn, to press on the enemy, and to recover the height from which they had been forced. Philip was determined not to hazard his phalanx on that unfavourable ground, broken and interspersed

with little hills; which, on account of their figure, were called the Cynocephalæ *. He sent, nevertheless, all his horse and irregular infantry to extricate his advanced party, and enable them to retire with honour. Upon their arrival, the advantage came to be on the side of the Macedonians; and the Roman irregulars were forced from the hills in the utmost disorder. The cry of victory was carried back to the camp of the king. His courtiers exclaimed, that now was the time to urge a flying enemy, and to complete his advantage. The king hesitated; but could not resist the general voice. He ordered the phalanx to move; and he himself at the head of the right wing, while his left was marching in column, had arrived and formed on the hill. On his way to this ground, he was flattered with recent marks of the victory which had been gained by his troops.

The Roman general, at the same time, alarmed at the defeat of his light infantry, and seeing a kind of panic likely to spread through the legions, put the whole army in motion, and advanced to receive his flying parties. By this time the sun had considerable power, the fog cleared up, and discovered the right of the Macedonian phalanx already formed on the height.

Flamininus hastily attacked this body, and, being unable to make any impression, gave up the day, on that quarter, for lost. But, observing that the enemy opposite to his right were not yet come to their ground, he instantly repaired to that wing, and, with

* The name implies, that these hills resembled the head of a dog.

his elephants and light infantry, supported by the legions, attacked them before the phalanx was formed, and put them to flight.

In this state of the action, a Tribune of the victorious legion, being insensibly led in pursuit of the enemy, beyond the flank of the phalanx which yet stood entire on the right, ventured to attack this body in the rear; and, by this fortunate attempt, in so critical a moment, completed the victory in all parts of the field.

Thus Philip, if his phalanx had any advantage over the legion of the Romans, had not, in two successive encounters, been able to avail himself of it; and it may well be supposed, that, in the movements, which require an army to act on varieties of ground, the chances are greatly in favour of the more versatile body *.

From this field the King of Macedonia fled, with a mind already disposed not to urge the fate of the war any farther. He retired to the passes of the mountains that surround the valley of Tempe, and from thence sent a message to the Roman general with overtures of peace.

It was a fortunate circumstance in the manners and policy of the Romans, that the same motives of ambition which urged the rulers of the State to war, likewise, on occasion, inclined the leaders of armies to peace, made them admit from an enemy the first offers of submission, and embrace any terms on which they could for themselves lay claim to a triumph.

* Polyb. lib. xvii, c. 22.

The prayer of the republic, in entering on a war, included three objects, safety, victory, and enlargement of territory *. Every general endeavoured to obtain these ends for his country; but, in proportion as he approached to the completion of his wishes, he became jealous of his successor, and desirous to terminate a war before any other should come to snatch out of his hands the trophies he had won. This people appeared, therefore, on most occasions, willing to spare the vanquished, and went to extremities only by degrees, and urged by the ambition of successive leaders, who, each in his turn, wished to make some addition to the advantages previously gained to his country. At the same time, the State, when furnished with a fair pretence for reducing a province to subjection, made the most effectual arrangements to accomplish its end.

Flamininus, on the present occasion, encouraged the advances that were made to him by Philip, granted a cessation of arms, gave him an opportunity to continue his applications for peace at Rome, and forwarded the messenger whom he sent on this business. The Senate, on being informed that the King of Macedonia cast himself entirely on the mercy and justice of the Romans, named ten commissioners to be joined with Flamininus, and to determine, in presence of the other parties concerned in the war, what were to be the terms on which peace should be granted.

U. C. 557.

* Liv. lib. xxxi, c. 5.

The time was not yet come for the Romans to lay hold of any possessions beyond the sea of Ionia. They had transported their forces so far as the mere protectors of Athens; were satisfied with the title of Deliverers of Greece; and, under pretence of setting the republics of that quarter at liberty, detached them from the Macedonian monarchy; but in this manner, made the first step towards conquest, by weakening their enemy, and by stripping him of great part of that power with which he had been able to resist them.

They obliged the King of Macedonia to withdraw his garrisons from every fortress in Greece, and to leave every Grecian city, whether of Europe or Asia, to the full enjoyment of its own independence and separate laws.

Under pretence of securing the effects of this treaty, they obliged him to surrender all his ships of war, except one galley, on which, it was said, were mounted sixteen tier of oars, requiring a height above the water, and dimensions in every part, more fitted for ostentation than wieldiness or use.

They made him reduce his ordinary military establishments to five hundred men, and forbade him entirely the use of elephants.

For themselves, they desired only to have the Roman captives restored, deserters delivered up, and a sum of one thousand talents to reimburse the expence of the war *.

* Liv. lib. xxxiii, c. 31.

By this treaty the Romans not only weakened their enemy, but acquired great accessions of reputation and general confidence. They announced themselves as protectors of all free nations; and in this character took an ascendant, which, even over the states they had rescued from foreign usurpations, by degrees might rise into sovereignty and a formal dominion.

To give the greater solemnity to the gift of liberty which they made to the Grecian States, they had this apparent act of splendid munificence proclaimed, in presence of great multitudes from every part of Greece, met to solemnize the ordinary games at the Isthmus of Corinth; and, in return, were extolled by the flatterers of their power, or the dupes of their policy, as the common restorers of freedom to mankind.

The Romans thus hastened the completion of the treaty, by which they disarmed the King of Macedonia, upon having received information, that Antiochus King of Syria, was in motion with a mighty force, and, without declaring his intentions, made sail towards Europe. This prince had succeeded to the kingdom of Syria, a few years before Ptolemy Philopater began to reign in Egypt, or Philip in Greece; and was nearly of the same age with those princes. In his youth he waged war with the kingdom of Egypt for the possession of Cælo-Syria, and with the Satraps or governors of his own provinces, who attempted to render them independent, and to dismember his kingdom. His success in re-uniting all the members of his own monarchy, put him in

possession of a great empire, which reached from the extremities of Armenia and Persia to Sardis and the seas of Greece. The splendor of his fortunes procured him the title of Antiochus the Great. The crown of Egypt had been, for some time, the principal object of his jealousy and of his ambition. He had made an alliance with Philip, in which the common object of the parties was to avail themselves of the minority of Ptolemy: but he was not aware, in time, how much the King of Macedonia stood in need of his support against the Romans; or how much it was his interest to preserve that kingdom as a barrier against the encroachments of an ambitious people, who now began to direct their views to the East. He advanced, however, though now too late, by the coast of Asia to the Hellespont, with a fleet and an army rather destined for observation, than for any decided part in a war which was actually brought to a conclusion about the time of his arrival in those parts.

At Lysimachia, the Roman deputies, who had been charged with the adjustment and execution of the late treaty, met with Antiochus, and remonstrated against some of his proceedings on the coast of Asia, as affecting the possessions both of Philip and of Ptolemy. They complained of his present invasion of Europe with a hostile force. "The Ro-"mans," they said, "had rescued the Greeks from "Philip, not to deliver them over to Antiochus." They demanded a restitution of all the towns he had taken from Ptolemy, and enjoined him to refrain from any attempts on the freedom of Greece.

To these remonstrances and requisitions the king of Syria with scorn replied, That he knew the extent of his rights, and was not to be taught by the Romans: that they were busy in setting bounds to the ambition of other states, but set no bounds to their own; advised them to confine their views to the affairs of Italy, and to leave those of Asia to the parties concerned.

During the conferences which were held on these subjects, each of the parties, without communicating what they heard to the others, received a report of the death of Ptolemy, the infant king of Egypt; and they separated, intent on the respective evils to be apprehended, or the benefits to be reaped, from this event.

This report, in which both parties were soon after undeceived, occasioned the return of Antiochus into Syria, and suspended for some time the war which he was disposed to carry into Europe *.

Under pretence of observing the motions of this prince, the Romans, although they had professed an intention to evacuate the cities of Greece, still kept possession of Demetrias, a convenient sea-port in Thessaly, and of Chalcis on the Straits of Eubœa; and Flamininus, under pretence of restraining the violence of Nabis, the tyrant of Lacedemon, and of restoring the tranquillity of that country †, still remained with an army in the Peloponnesus.

While the Romans were carrying their fortunes with so high a hand in this part of the world, and

* Liv. lib. xxxiii, c. 41. † Ibid. c. 45.

defeating armies hitherto deemed invincible, they received a considerable check in Spain.

That country had been recently divided into two provinces; and, though now possessed by the Romans, without the competition of any foreign rival, it continued to be held by a very difficult and precarious tenure, that of force, opposed to the impatience and continual revolts of a fierce and numerous people.

Spain had already furnished to Italy its principal supplies of silver and gold. At every triumph obtained in that country, the precious metals were brought in considerable quantities to the treasury of Rome; but were purchased for the most part with the blood of her legions, and led her into a succession of wars, in which she experienced defeat as well as victory. About the time that Flamininus had terminated the war in Macedonia, the Proconsul Sempronius, in the nearer province of Spain, was defeated with the loss of many officers of rank. He himself was wounded in action, and soon after died.

Even the Roman possessions in Italy were not yet fully recovered from the troubles which had arisen in the time of the late war with Carthage. The Gaulish nations on the Po still continued in a state of hostility. The slaves, of which the numbers had greatly increased in Etruria, and other parts of the country, being mostly captives taken from enemies inured to arms and to violence, interrupted their servitude with frequent and dangerous revolts. Having persons among them, who had

been accustomed to command as well as to obey, they could form themselves into regular bodies, and encounter the forces employed against them in battle *.

The ridge of the Appenines beyond the confines of Etruria and the Roman frontier, still harboured fierce and numerous tribes known by the name of Ligurians and Gauls, who not only often and long defended their own mountains and woods, but likewise frequently invaded the territory of the Romans. Here, or in Spain, during the recess of other wars, there was a continual service for the Consuls and Prætors, and a continual exercise to the legions. The State, nevertheless, though still occupied in this manner with petty enemies and desultory wars, never lost sight of the great objects of its jealousy, from whom were to be apprehended a more regular opposition, and better concerted designs of hostility. Among these, the Carthaginians were not likely to continue longer at peace than until they recovered their strength, or had the prospect of some powerful support: And the king of Syria, possessed of the principal resources of Asia, was ready to join with this or any other party that was inclined to check the advancement of the Roman greatness.

About a year after the conclusion of the war with Philip, the Romans received intelligence, that the Carthaginians had entered into a correspondence with Antiochus, and as their supposed implacable enemy, Hannibal, was then in one

U. C. 558.

* Liv. lib. xxviii, c. 36.

of the first offices of state at Carthage, it was not doubted, that any secret intrigues in which he was concerned were hostile to Rome. It was determined, therefore, to send a proper commission into Africa, under pretence of an amicable mediation, in some differences that subsisted between Massinissa and the people of Carthage; but with injunction to the commissioners employed on this business to penetrate, if possible, the designs of the Carthaginians; and, if necessary, to demand that Hannibal, the supposed author of a dangerous conspiracy against the peace of both the republics, should be delivered up.

This great man, from the termination of the late war, had acquitted himself in the political departments, to which he had been appointed, with an integrity and ability worthy of his high reputation as a soldier; but his reformations in a corrupted state had procured him enemies at home, not less dangerous than those he had encountered abroad *. Upon the arrival of the Roman deputies, he suspected that the commission regarded himself, and made no doubt that a faction, whose ambition he had restrained, and many particular persons whom he had recently incensed by the reformation of certain abuses in which they were interested, would gladly seize that opportunity to rid themselves of a powerful enemy, and from fear or some other motives, prevail on a corrupted people to deliver him up to the Romans. It is said, that he had been long prepared for an emergence of this sort, and, without any embarrassment, appear-

* Liv. lib. xxxiii, c. 46—49.

ed, upon the arrival of these messengers, in all the functions of his public character; but at night withdrew to the coast and set sail for Asia *. He was received by Antiochus at Ephesus, and looked upon as a person worthy to direct the councils of a great king; a point of view too much exposed to envy, for the favourites of a court, or even for the prince himself long to endure.

From this time forward the king of Syria, supposed to be governed by the counsels of Hannibal, became the principal object of attention and of jealousy at Rome; and though he seemed to remain in tranquillity during about three years after the acquisition of this formidable counsellor, yet it was not doubted that the first violent storm was to burst from that quarter.

Flamininus had, during the greater part of this interval, remained in Greece; had been occupied in settling the affairs of that country, or in observing the Etolians, who, being dissatisfied with the late peace, endeavoured to raise a spirit of discontent against the Romans. He made war at the same time against Nabis, the tyrant of Lacedemon; and though he failed in his attempt to force this famous usurper in his own capital, he obliged him to evacuate Argos, and to cede all his possessions on the coast. By these means he removed the dangers with which some States of the Achæan league had been threatened, and restored them to the secure possession of their freedom.

* Liv. lib. xxxiii, c. 46—49.

Having done so much, that no ground of jealousy or distrust might remain in Greece, Flamininus persuaded the Roman Commissioners to evacuate Demetrias, Chalcis, and Corinth, which they were disposed to retain in the prospect of a war with Antiochus; and having thus concluded the affairs that were intrusted to him, he returned into Italy, and made his entry at Rome in a triumphal procession, which lasted three days, with a splendid display of spoils, captives, and treasure *.

All the troubles of Greece, at the departure of Flamininus, seemed to be composed; these appearances, however, were but of short duration. Nabis being impatient under his late concessions, and flattering himself that the Romans would not repass the sea merely to exclude him from the possession of a few places of little consequence on the coast of the Peloponnesus, began to employ insinuation, corruption, and open force, in order to recover the towns he had lost. In this design he was encouraged by the Etolians, who flattered him with the hopes of support, not only from themselves, but likewise from Antiochus, and even from Philip; all of whom had an evident interest in repressing the growing power of the Italian republic. The Etolians had expected, at the close of the war with Philip, to come into the place of that prince, as the head of all the Grecian confederacies, and to have a principal share in the spoils of his kingdom. They urged the Roman Commissioners to the final suppression of that monarchy;

* Liv. lib. xxxiv, c. 52

and, being disappointed in all their hopes, complained of the Romans, as bestowing upon others the fruits of a victory which had been obtained chiefly by their means, and as having, under the pretence of setting the Greeks at liberty, reduced that country into a weak and disjointed state, which might in any future period render it an easy prey to themselves.

Flamininus, accordingly, in all the measures he took for the settlement of Greece, had met from this people with a warm and obstinate resistance. He found them endeavouring to form a powerful confederacy against the Romans, and for this purpose engaged in intrigues with Nabis, Philip, and Antiochus; applying to each of them in terms suited to the supposed injuries they had severally received in the late war, or in the negotiations that followed.

At the conclusion of the peace with Philip, Antiochus thinking himself, by the effects of that treaty, aggrieved, in respect to the freedom granted to some cantons in Thrace, on which he derived a claim from his ancestors, sent an embassy to Rome with remonstrances on this subject. The Romans made answer, in the capacity which they had assumed of the deliverers of Greece, that they would oppose every attempt to enslave any Grecian settlement whatever; and as they had no designs on Asia, they expected that the king of Syria would not intermeddle in the concerns of Europe. While they gave this answer to the Ambassador of Syria, they resolved, under pretence of treating with the king himself, to send commissioners, in their turn, to observe his motions.

Publius Scipio, the victor of Carthage, and who

upon his return to Rome had been saluted with the title of Africanus, is mentioned by some historians as having been of this commission, and as having had some conversations with Hannibal, which are recorded to the honour of both. Livy, however, seems to reject these particulars as fabulous, while he admits that the apparent intimacy of Hannibal with the Roman Commissioners, very much diminished the part which this formidable counsellor held in the confidence of the king *.

About the same time, it became known that Antiochus was meditating the invasion of Italy as well as of Greece; that the first of these objects was to be committed to Hannibal, who undertook to prevail on his countrymen to take a principal share in the war; and that, for this purpose, he had sent a proper person to concert measures with his party at Carthage; but the intrigue being discovered, the opposite faction, in order to exculpate themselves, gave that account by which the intention was known at Rome.

Before this intelligence had been received, the Roman Commissioners were sent out for Asia, and according to their instructions, passed through Pergamus to consult with Eumenes the sovereign of that district, who, having reason to dread the power of Antiochus, employed all his credit to engage the Romans in a war with that prince. They had an audience of the king of Syria at Apamea, and a conference afterwards on the object of their commis-

* Liv. lib. xxxv, c. 14.

sion, with a principal officer of his court at Ephesus. This minister made no scruple to charge the Romans with the real designs of ambition, which they endeavoured to disguise under the pretence of procuring the liberties of Greece. "Your conduct," he said, "where you are in condition to act without "disguise, is a much better evidence of your intention, than any professions you may think proper "to make in Greece or in Asia, where, by assuming "a popular character, you have so many parties to "reconcile to your interest. Are not the inhabitants of Naples and of Rhegium Greeks, as well "as those of Lampsacus and Smyrna? You are extremely desirous to set the Greeks at liberty from "the dominion of Antiochus and Philip, but have "no remorse in subjecting them to your own."

The deputies of the cities whose interest was in question were present at these conferences, and each pleaded the cause of his respective country, but without any other effect than that of convincing the parties concerned, that a war could not long be avoided. The Romans, alarmed by the intelligence received from Carthage, while their deputies were thus employed in Asia, had already begun to prepare for hostilities; and upon the report of what had passed at the late conference, still continued to augment their forces by sea and by land. Under pretence of repressing the violences committed by Nabis, they ordered one army into Greece, and stationed a second on the coast of Calabria and Apulia, in order to support the operations of the first.

The Romans had reason to consider the Etolians as enemies, and even to distrust the intentions of many of the republics lately restored to their liberty, who began to surmise, that under the pretence of being relieved from the dominion of Philip, they were actually reduced to a state of dependence on Rome.

To obviate the difficulties which from these surmises might arise among the Grecian republics, the Roman Senate sent a fresh commission into that country, requiring those who were named in it to act under the direction of Flamininus, the late deliverer of Greece. These commissioners found the principal cities of that country variously affected: a general meeting of the states being called to receive them at Demetrias, they were, by some of the parties present at this meeting, reproached with a design, under pretence of restoring the Greeks to their freedom, of detaching them from every power that was fit to protect them; and they were likewise reproached with a design of establishing their own tyranny, under pretence of opposing that of every other state.

This species of blasphemy, uttered against a power which the majority of those who were present affected to revere, raised a great ferment in the council; and the persons who had thus ventured to insult the majesty of Rome being threatened with violence, were forced to withdraw from Demetrias, and to take refuge in Etolia. The remaining deputies of Greece endeavoured to pacify the Roman Commissioners, and made humble entreaties that they would

not impute to so many different nations, what was no more than the frenzy of a few individuals.

The Etolians had already invited Antiochus to pass into Europe. The measure was accordingly under deliberation in the council of this prince. Hannibal warmly recommended the invasion of Italy, as the most effectual blow that could be struck at the Romans. "At home," he said, "their force is "still composed of disjointed materials, which will "break into pieces when assailed by the immediate "touch of an enemy; and the most effectual power "that can be raised up against them, is that which "may be formed from the ruins of their own empire. "But if you allow them to remain in quiet posses- "sion of Italy, and to stretch out the arms of that "country to a distance against you, their resources "are endless, and their strength irresistible." He made an offer of himself for this service, demanding one hundred galleys, ten thousand foot, and a thousand horse. With this armament he proposed to present himself on the coast of Africa, and, from what further reinforcements or supplies he could derive from Carthage, to effect his descent upon Italy.

These counsels, however, were given in vain. Hannibal, as a person likely to reap all the glory of every service in which he was to bear any part, had become an object of jealousy to the courtiers of Antiochus, and to the king himself. Whatever advice he gave being received with more aversion than respect, only served to determine the king against every measure he proposed. "Such a monarch," it was said by his flatterers, "cannot be under the

"necessity to employ foreign aid or direction:—"his own force is sufficient to overcome the Romans "in any part of the world:—the recovery of Greece "must be the first object of his arms:—he himself "is a Greek, and the people of his country, when-"ever his galleys appear, will crowd on the shores to "receive him:—the Etolians are already in arms for "this purpose:—Nabis is impatient to recover the "possessions of which he has been stripped by the "Romans:—Philip must eagerly fly to the standard "which is set up against Rome, and embrace every "opportunity to revenge the indignities which have "been lately put upon himself and his kingdom *."

Elate with these expectations, Antiochus set sail for Europe with ten thousand foot, some elephants, and a body of horse. He was received at Demetrias with acclamations of joy; but he soon after discovered, that the invitations he had received from the people of that country, proceeded from a desire to shift the burden of the war from themselves upon him, and instead of supporting him in his claims of ambition, were likely to make him the tool of intentions, equally hostile to his own pretensions as to those of the Romans.

U. C. 562.

The Etolians, at whose instance Antiochus had come into Greece, were still divided. One party among them contended for peace, and alleged that the presence of the king of Syria was a fortunate circumstance, only as it gave them an opportunity to negotiate with greater advantage. Another party

* Liv. lib. xxxv, c. 18, and 42.

contended for immediate war; insisting that force alone could obtain any equitable terms from such a party as that they had to contend with.

Flamininus being present in the assembly of Etolia whilst the resolution for peace or war with the Romans was under debate, observed to the party who contended for war, that, before they proceeded to this extremity, they ought to have made their representations at Rome, and to have waited for an answer from thence. "*We shall make our representations, "and demand our answer*," said a principal person in the assembly, still thinking of a descent upon Italy to be effected by Hannibal, "*perhaps where we are "least expected, on the banks of the Tiber* *."

The resolution for war with the Romans was accordingly taken in this assembly, and Antiochus was declared head of a confederacy to be formed for mutual support in the conduct of it. This prince endeavoured to obtain a declaration to the same effect from the Achæans and Beotians; but being disappointed in his application to those States, he left part of his forces at Demetrias, and he himself, as if he had come to act merely on the defensive, having negotiated his admission at Chalcis on the Straits of Eubœa, retired behind the Euripus, and established his court at that place for the winter.

Mean time the Romans prepared themselves as for a struggle of great difficulty, and probably of long duration †. They considered the abilities of Hannibal, employed to conduct the forces of Asia, as a

* Liv. lib. xxxv, c. 33. † Appian, Syrica, p. 95.

sufficient ground of alarm. Their first object was to guard Italy and their other possessions. An army of observation was for this purpose stationed at Tarentum. A numerous fleet was ordered to protect the coast. The Prætors and other officers of State, with proper forces under their command, had charge of the different districts of Italy that were suspected of inclining to the enemy, or of being disaffected to the commonwealth. The instructions given to these officers were, to observe what was passing in the several quarters to which they were sent, but to avoid every occasion of animosity or tumult that might open a way for the admission of an enemy, or shew an invader where he might expect co-operation in the quarter to which he should direct his attack.

Having made these dispositions for their own security, they proceeded to form an army which was to act offensively, and remove the scene of the war to a distance. Bæbius, a Prætor of the preceding year, under pretence of opposing Nabis, who had renewed the war in the Peloponnesus, had already passed into Epirus with a considerable force. Acilius Glabrio, one of the Consuls of the present year, to whose lot this province had fallen, was understood to have in charge the farther preparations that were making for the invasion of Greece, and hastened the assembling of an army and fleet sufficient to prevent or disconcert the measures of the parties that were supposed to be forming in that country against the Romans.

The usual tithes of corn were ordered from Sardinia, and double tithes from Sicily, to supply the

army in Epirus. Commissaries likewise were sent to Carthage and Numidia, in order to purchase supplies from thence. And with such a sense of its importance did the Romans enter on this war, that the Consul Cornelius issued an edict, prohibiting all Senators, and all those who were entitled to be admitted into the Senate, to absent themselves from Rome above one day at a time, and requiring that no more than five Senators should on the same day be absent from the city.

Mean time the equipment of the fleet was retarded by a dispute which arose with eight of the maritime colonies or sea-ports, who pretended to a right of exemption from the present service. But their plea, upon an appeal to the Tribunes, and a reference from them to the Senate, was over-ruled.

Antiochus passed the winter at Chalcis in a manner too common with princes of a mean capacity, who put every matter of personal caprice on the same foot with affairs of State. Being enamoured of a Grecian beauty, he employed the attention of his court on feasts and processions, devised for her entertainment, and to enhance his pleasures. His reputation accordingly declined, and his forces made no progress either in numbers or discipline.

In the spring he lost some time in forming confederacies with petty States, which are ever under the necessity of declaring themselves for the prevailing power, and who change their side with the reverses of fortune. Having traversed the countries of Beotia and Acarnania, negotiating treaties with such allies as these, he had passed into Thessaly, and had

besieged Larissa, when the Roman Prætor began to advance from Epirus.

After the contending parties had thus taken the field, and the armies of Rome and of Syria were about to decide the superiority on the frontiers of Macedonia, Philip seemed to remain in suspense, having yet made no open declaration to which side he inclined. He had smarted under the arms of the Romans, and had reason to dread those of Antiochus.

The princes who divided the Macedonian empire were not only rivals in power, they were in some degree mutual pretenders to the thrones which they severally occupied. Philip, probably considering Antiochus, in this quality, as the principal object of his jealousy, took his resolution to declare for the Romans; and having accordingly joined the Prætor on the confines of Thessaly, their vanguard advanced to observe the position and motions of the enemy.

Antiochus, upon the junction of these forces, thought proper to raise the siege of Larissa; and from this time forward, seeming to have dropped all his sanguine expectations of conquest in Europe, was contented to act on the defensive; and when the Roman Consul arrived in Epirus, and directed his march towards Thessaly, this king took his post at the Straits of Thermopylæ, intending merely to shut up this passage into Greece; but being dislodged from thence, his army was routed, the greater part of it perished in the flight, and he himself, with no more than five hundred men, escaped to Chalcis,

his former retreat in Eubœa, from whence he soon after set sail for Asia.

Upon the flight of Antiochus, the Etolians alone remained in the predicament of open enemies to the Romans. They were yet extremely irresolute and distracted in their councils. After having brought the king of Syria into Europe, they had not supported him with a sufficient force; and now, upon his departure, being sensible of their danger from a powerful enemy whom they had greatly provoked, they endeavoured to persuade him to return; representing how much he was concerned to furnish the arrogant councils of Rome with a sufficient occupation in Greece, to prevent their forces from passing into Asia. Those states at the same time, in case their representations in Asia should fail of success, made offers of pacification and of submission to the Romans; but here they were received in a manner, which gave them no hopes of being able to palliate the offence they had given. The Consul advanced into their country, laid siege to Naupactus, and having reduced that place and the whole nation to great distress, agreed to a cessation of arms, only while they sent deputies to Rome to implore forgiveness and to make their peace with the Senate. Such was the posture of affairs, when Lucius Cornelius Scipio, being elected one of the Consuls for the ensuing year, was destined to succeed Acilius Glabrio in Etolia; and, with his brother Publius, the victor in the battle of Zama, who was to act as second in command, had orders to prosecute the war against the kingdom of Syria.

These leaders being arrived in Greece, and intent on the removal of the war into Asia, willingly accepted the submission of all the towns that had incurred any suspicion during the stay of Antiochus in Europe; and, leaving the difference which remained to be settled with the Etolians in a state of negotiation, they proceeded without delay, by the route of Macedonia and Thrace, towards the Hellespont.

In passing through these countries, they were conducted and furnished with all the necessary supplies of provisions and carriages by the orders of Philip.

Meantime the fleets of Asia and Europe, during this march of the land-forces, were contending for the command of the seas. The Roman navy had been reinforced by the Rhodians, and even by the Carthaginians, who, to vindicate themselves from any blame in the present war, had taken part with their rival. This combined fleet, after various encounters, overcame their antagonists in a decisive battle, which made them entire masters of the sea, and opened all the ports of Asia to the shipping of the Romans.

The king of Syria had fortified Sestos and Abydos on the Hellespont, and Lysimachia on the isthmus of Chersonnesus, with an apparent resolution to dispute the march and passage of the Scipios at all these different stations. But on the total defeat of his navy, he either considered those places as lost, or, fearing to have his forces separately cut off in attempting to defend stations so remote, he withdrew

his garrisons from Lysimachia, Systos, and Abydos; and while he thus opened the way for his enemies to reach him, gave other signs of despondency, or of a disposition to sink under the weight of his adverse fortune, making overtures of peace, and offering to yield every point which he had formerly disputed in the war. In reply to these offers he was told, That he must do more; and, declining the risk, must submit to such terms as the Romans were entitled to expect from victory. He therefore continued to assemble his forces; prepared to stake his fortune on the decision of a battle; and having in vain endeavoured to make himself master of Pergamus, the capital of Eumenes, he fell back on Thyatira, and from thence proceeded to take post on the mountains of Sipylus, where he meant to contend for the empire of Asia.

In the mean time the Scipios had advanced to the Hellespont, and without any resistance passed the Strait. This was the first Roman army that ever set foot upon Asia; being met soon after by the deputies of Antiochus with those overtures of peace which have been mentioned, they sent an account to Rome of their arrival, and made a halt for some days.

This passage was considered by the Romans as an epoch of great renown; and the messenger who brought the accounts of it was received with processions and solemn rites. Supplications and prayers were offered up to the gods, that this first descent of a Roman army in Asia might be prosperous for the commonwealth.

U. C. 562.

Publius Scipio, the famous antagonist of Hannibal, soon after his arrival in Asia, being taken ill, or, what may be supposed for the honour of his fraternal affection, being desirous not to rob his brother of any share in the glory which, against the present enemy, he perceived was to be easily won, he affected indisposition, and remained at a distance from the camp. Lucius, thus left alone to command the Roman army, advanced upon the king, attacked him in the post he had taken, and, in a decisive victory, dispersed the splendid forces of Asia, with all their apparatus of armed chariots, and of horses, and elephants, harnessed with gold.

The king himself having fled with a few attendants, passed through Sardis in the night, and continued his flight to Apamea in Pisidia, where he expected to be out of the reach of his pursuers.

Thyatira, Sardis, and Magnesia, soon after opened their gates to the Romans; and the king, by a messenger from Apamea, again made haste to own himself vanquished, and to sue for peace.

The Romans, to display a moderation which they frequently affected in the midst of their victories, made no addition to the first conditions which prior to their present advantage they had prescribed on their arrival in Asia; and a cessation of arms being granted, officers from Antiochus, and from all the other parties concerned in the approaching treaty, repaired to Rome, in order to receive the final decision of the Senate and People, on the future settlement of their affairs.

Eumenes, the king of Pergamus, on this occasion, attended in person, and, together with the republic of Rhodes, which had distinguished itself by its zeal and faithful service in the war, became the principal gainer in the treaty.

It was agreed by the Senate, that the preliminary articles already prescribed by the Consul should be confirmed:

That, according to these articles, Antiochus should resign all his pretensions in Europe; and that in Asia he should contract the boundaries of his kingdom within the mountains of Taurus:

That he should pay to the Romans, at successive terms, five thousand talents, to reimburse the expence of the war:

To Eumenes four hundred talents, on the score of a debt which had been due to his father.

And, for the performance of these conditions, should give twenty hostages, such as the Romans should name.

In the farther execution of this treaty, the Romans again appeared to be solicitous only for the interest of their allies, and required no more than indemnification for themselves. They appointed ten commissioners to repair into Asia, and there to determine the several questions that might arise relating to the settlement of that country. In the mean time they published to all parties the following instructions, as the basis on which the commissioners were to proceed:

That the preliminaries of the peac er-
ed to Antiochus should be ratified:

That all the provinces which he was to evacuate, except Caria and Lycia, should be assigned to Eumenes:

That the provinces, thus excepted, being bounded by the Meander on the east, should be ceded to the republic of Rhodes:

That all the Greek cities which had been tributary to Eumenes should continue so, and all which had been tributary to Antiochus should be set free *.

A distribution and settlement was accordingly soon after completed in Asia on these terms; and the Romans, while they were hastening to universal dominion, appeared to have no object beyond the prosperity of their allies; they were merciful to the vanquished, and formidable only to those who presumed to resist their arms. In the midst of their conquests, they reserved nothing to themselves besides the power of giving away entire kingdoms and provinces: or, in other words, they reserved nothing but the power of seizing the whole at a proper time, and, for the present, assumed no more than the supreme ascendant over all the conquered provinces that were given away, and over those states or princes to whom they were given.

The Etolians were now the only parties in Greece who pretended to hold their liberties, or their possessions, by any other tenure than that of a grant from the Romans.

During the continuance of the war in Asia, these confederates made efforts to recover their own losses,

* Polyb. Excerptæ Legationes, c. 35.

as well as to preserve the city of Ambracia, then besieged by the Romans; but, upon the defeat of Antiochus, the Ambraciots surrendered at discretion, and the Etolians sued for peace.

Ambracia had been the capital of Pyrrhus, and now furnished the captor with a plentiful spoil of statues, pictures, and other ornaments to adorn his triumph. The Etolians, at the intercession of the Athenians, were allowed to hope for peace on the following terms *:

That they should not allow to pass through their country the troops of any nation at war with the Romans:

That they should consider the allies of Rome as their allies, and the enemies of Rome as their enemies:

That they should make instant payment of two hundred talents in silver, according to the standard of Athens; and of three hundred talents more at separate instalments within six years:

That if they chose to make these payments in gold rather than silver, the proportion should be one of gold to ten of silver; and that they should give hostages for the performance of these several articles †.

While the Etolians were on these terms concluding a peace, or rather obtaining a pardon, the Consul Manlius, who had succeeded the Scipios in Asia, willing, if possible, to bring back into It[illegible] together with the victorious legions, to the comm[illegible] which

* Polyb. Excerptæ Legationes, c. 28. †

he succeeded, some pretence of a triumph for himself, led his army against the Galatians. These were the descendants of a barbarous horde, which had, some ages before, migrated from the interior of Europe, visited Italy and Greece in their way, and stopped on the Halys in the Lesser Asia, where they made a settlement, round which they levied contributions quite to the shores of the Euxine, the Mediterranean, and Ægean Seas. Their forces had lately made a part in the army of Antiochus, and they had not yet acceded to the peace which that prince had accepted. Upon these grounds, the Roman Consul was furnished with a pretence for invading their country; and the inhabitants being unable to resist him, surrendered at discretion. In thus extinguishing the remains of every hostile combination, the Romans took care to satisfy the world that it was unsafe to take part against them in any confederacy; and that, while they themselves never abandoned an ally, they were in condition to compel the states, with whom they were at war, frequently to abandon those by whom they had themselves been supported.

Thus ended the first expedition of the Romans into Asia; in the result of which, without seeming to enlarge their own dominions, they had greatly reduced the powers both of the Syrian and Macedonian monarchies; and by restoring, whether from inclination or policy, every state to its independence, they had balanced a multitude of parties against one another, in such a manner, as that no formidable combination was likely to be formed against them-

selves; or if any one, or a few parties, should presume to withstand their power, many others were ready to join in the cry of ingratitude, and to treat any opposition that was made to the pretensions of Rome as an unworthy return to those who had so generously espoused the cause of mankind.

The pacification of Asia and Greece left the republic at leisure to manage its ordinary quarrels with nations unsubdued on the opposite frontier. In the West, hostilities had subsisted, without interruption, during the whole time that the State was intent on its wars in the East; and triumphal processions were exhibited by turns from those opposite quarters.

In Spain, the commanders were, for the most part, annually relieved, and the army annually recruited from Italy. But the variety of events which are mentioned, and the continuance of the war itself, are sufficient to evince that no decisive victories had been obtained, or conquests finally made. On the coast of Spain, there were many Greek or African settlements established for commerce. Of these the Romans, either as having supplanted the Carthaginians, to whom these settlements belonged, or as having subdued the natives, were still in possession. But the interior parts of the country were occupied by many hordes, who appear to have been collected in townships and fortified stations, from which they assembled to oppose the Roman armies in the field, or in which they defended themselves with obstinate valour. Though often defeated, they renewed the contest. Tiberius Sempronius the

year of Rome five hundred and seventy-four, about ten years after the peace with Antiochus, is said to have received the submission of one hundred and three towns of Spain *. The troubles of that country were, nevertheless, renewed under his successors, and continued to occupy the Roman arms with a repetition of similar operations, and a like variety of events.

The war in Liguria was nearly of the same description with that in Spain; continued still to occupy a certain part of the Roman force; and both before and after the late expeditions to Greece and Asia, was for some years the principal employment of both the Consuls. Here, however, the Romans made a more sensible progress towards an entire conquest than they made in Spain. They facilitated their access to the country by highways across the mountains; they reduced the numbers of the enemy by the sword and by the ordinary distresses of war; and, after the experience of many pretended submissions and repeated revolts of that people, who seemed to derive the ferocity of their spirit, as well as the security of their possession, from the rugged and inaccessible nature of their country, it was determined to transplant the natives to some of the more accessible parts of Italy, where the lands, being waste from the effect of former wars, were still unoccupied, and at the disposal of the republic †.

* Liv. lib. xl, c. 50, et passim. † Ibid. c. 38.

CHAP. VII.

State of Italy.—Character of the Roman policy.—Death of Scipio and of Hannibal.—Indulgence of the Romans to the king of Macedonia.—Complaints against Philip.—Succession of Perseus, and origin of the war.—Action on the Peneus.—Overtures of peace.—Progress of the war.—Defeat of Perseus at Pidna, by Paulus Emilius.—His flight and captivity.—Settlement of Macedonia and Illyricum.—Manners of the Romans.

By the methods above related, the Romans proceeded to extend their dominion over all the districts around them, and either brought to their own standard, or disarmed, the several nations who had hitherto resisted their power. While they were about to accomplish this end, the Transalpine Gauls, still having their views directed to the southward of the mountains, made some attempts at migration into Italy, in one of which they settled a party of their people at Aquileia. The Romans were alarmed, and ordered these strangers to be dislodged, and reconducted across the Alps.

This circumstance suggested the design of securing the frontier on that side by a colony; and for this purpose a body of Latins was accordingly sent to Aquileia, a settlement which nearly completed the Roman establishments within the Alps. The

country was now, in a great measure, occupied by colonies of Roman and Latin extraction, who, depending on Rome for protection, served, wherever they were settled, to carry the deepest impressions of her authority, and to keep the natives in a state of subjection to her government.

The domestic policy of the State, during this period, appears to have been orderly and wise beyond that of any other time. The distinction of Patrician and Plebeian was become altogether nominal. The descendants of those who had filled the higher offices of State, whether Patrician or Plebeian, composed an order of nobles, of whom individuals, by way of a title or distinction, were named with the addition of Father and Grandfather, if so many of the race had been vested with public honours. And as the Plebeians were not debarred from the highest preferments, they were continually opening the way of their families to this rank of nobility. "Thus I," said Decius Mus, while he pleaded to have the priesthood *, joined to the other honours which the different orders of the People enjoyed in common, "can cite my father in the rank of Consul; and my "son can cite both his grandfather and me †." The Plebeians were entitled by law to claim one of the Consul's seats, and frequently occupied both.

The authority of the Senate, the dignity of the Equestrian Order, and the manners of the People, in [illegible]ere preserved in part by the salutary el[illegible]ersity, and by the integrity and strict

* Id. Chap. 3. † Liv. lib. x. c. 8.

exercise of the censorial power. The wisest and the most respected of the citizens, from every condition, were raised into office; and the assemblies, whether of the Senate, or the People, with an uncommon superiority to envy, or jealousy, for the most part suffered themselves to be governed by the counsels of a few able and virtuous men. It is impossible otherwise to account for that splendour with which the affairs of this republic, from the time of the first Punic war to that of the last struggle with Macedoniaand Carthage, though committed to hands that were continually changing, were, nevertheless, uniformly and ably conducted.

About this time, and nearly within a year of each other, died two eminent men; Hannibal and his rival Publius Scipio, both under some cloud of ingratitude from the countries they had so signally served.

Hannibal alone, it seems, an object of jealousy to nations, had been the subject of an article in the treaty of peace with Antiochus; and to avoid being delivered up to the Romans, in terms of that treaty, had retired first into Crete, and afterwards to the court of Prusias, king of Bythinia, whither he was still pursued by the enmity of Rome. Knowing that an embassy was come to demand him, and observing that the avenues to his dwelling were beset, he took poison, and died.

Scipio having been invidiously accused, after his return from Asia, of having secreted trea-
sure taken from Antiochus, and be gh a
spirit even to vindicate himself from ony,
called upon the people who were a the

occasion to go with him to the temple of Jupiter, that day being the anniversary of his victory at Zama, and to offer thanks to the god for that signal event. The audience accordingly broke up, and he was attended to the temple. But the same charge being again repeated, he called for the record which bore all the sums received from Antiochus, and, while the people expected to hear his defence, tore the scroll in their presence; and taking benefit of the Valerian law, withdrew from Rome to a village near Cumæ, where he died in a species of exile. The inscription on his tomb is said to have borne an allusion to this species of quarrel with his country; and a word of this inscription, found on the fragment of a stone broke off from his monument, has given its modern name to the supposed place of his retirement and death *.

The Romans had been so well satisfied with the part which was taken by Philip in the late war with Antiochus, that they released his son Demetrius,

* *Ingrata patria non habebis ossa*, are the words said by Valerius Maximus (lib. v, c. 3.) to have been by his own order inscribed on his tomb; and the word *patria*, found on the fragment of a stone, has given its name to the place which is called *Torre de Patria*. But we must be allowed to regret, that the memory of Scipio should be marked with so peevish a strain. Hannibal had been more ungenerously used by his country; but report, at least, in being silent of his complaints, is more favourable to his memory. It is the part of such men to do what others cannot perform, and that of the vulgar and malicious to detract from their merits. Monsieur St Evremond has been pleased to observe, that Scipio was the first among the Romans who possessed the amiable virtues of a great man: He should have said, perhaps, whose character bore the stamp of personal elevation and honour. Other Romans were proud of their country; but this was perhaps the first Roman who thought, not without reason, that his country should be proud of him, and who accordingly bore the freedom of being questioned as a criminal by his fellow-citizens with impatience and disdain.

then at Rome, an hostage for payment of the father's tribute, of which they likewise remitted a part. They even connived at his recovering some of the former possessions of his crown, and made no inquiry into the numbers of his troops, in which he greatly exceeded the establishment prescribed by the last treaty. They continued in this disposition during four years after the late peace with the king of Syria; and, in this interval, permitted the kingdom of Macedonia, by the improvement of its revenue, and the increase of its people, in a great measure to recover its former consideration and strength.

These circumstances of prosperity, however, did not fail to excite apprehension in the minds of all those who, holding independent possessions in that neighbourhood, were exposed to be the first victims of this reviving power, if left unsupported to contend with it; and representations, to awaken the attention of the Romans on this subject, were accordingly made at Rome, from Eumenes, the king of Pergamus, and from all the petty princes and small communities on the frontier of Macedonia.

On receiving these admonitions, the Senate, in their usual form, sent to the country from whence they were alarmed a select number of their members to make inquiry into the real state of affairs. Before a tribunal thus constituted, the king of Macedonia was cited to appear as a private Tem-
pe, to answer the charge of the d af-
terwards at Thessalonica, to ansv nes.
After a discussion, sufficiently ove-
reign, this monarch received sei n he

was required to evacuate all the places he had occupied beyond the ancient limits of his kingdom. This award he received with indignation, which he could not suppress, and which rendered him from thenceforward an object of continual attention and of jealousy to the Romans.

A second commission was granted to see the sentence of the first carried into execution; and as soon as it became publicly known, that the Romans were willing to receive complaints against Philip, and were disposed to protect every person who incurred his displeasure, ambassadors from the princes of Asia, and persons of every condition, from all the cities of Greece, and from all the districts in the neighbourhood of Macedonia, resorted to Rome with complaints against the king, some of a private, and others of a public nature. The city was crowded with strangers, and the Senate was occupied from morning to night in hearing the representations that were made by their allies on the subject of the usurpations and oppressions they had suffered from this devoted prince.

Philip, to avert the storm, had sent his younger son, Demetrius, to answer the several charges which were expected to be brought against him; and, in the end, obtained a resolution of the Senate to accommodate matters on an amicable footing. This resolution was ostensibly grounded on a pretence of the favour which the Romans bore to Demetrius, who had so long resided as an hostage in their city. "The king will please to know," they said, "that "he has done one thing extremely agreeable to the

" Romans, in trusting his cause to an advocate so " well established in their esteem and regard *."

This language of the Roman Senate respecting Demetrius, together with dangerous suggestions perhaps from persons inclined to mislead him, possibly inspired the young man with thoughts, and certainly rendered him suspected of designs, injurious to the rights of Perseus, his elder brother. This prince accordingly took the alarm, and never ceased to excite the suspicions already formed in the breast of the father, until he prevailed at last in securing his own succession by the death of his younger brother †.

Philip, having ordered the murder of one son to gratify the jealousy of the other, lived about three years after this action, suffering part of the punishment that was due to it, in the most gloomy apprehensions of danger from the son that survived, and died in the greatest solicitude for the fate of his kingdom.

Perseus, nevertheless, in ascending the throne of Macedonia, gave hopes of a better and happier reign than that of his predecessor had been. He was immediately acknowledged by the Romans; and, during a few years after his accession, appeared to have no cause of disquietude from this people. Although he had adopted the measures of [illegible] id endeavoured, by attention to his [illegible] army, and his magazines, and by for[illegible] with some of the warlike Thracian h[illegible] eigh-

* Polyb. Excerpt. Legat. c. 46. Liv[illegible]

† Liv. lib. xl, c. 24.

bourhood, to put his kingdom in a posture of defence, and in condition to assert its independence; yet he appears to have excited less jealousy than his father had done in the minds of his neighbours. The progress which he made seems to have escaped the attention even of the Romans; until, at last awakened by the report of a second correspondence which he carried on with the republic of Carthage, they thought proper to send a deputation into Macedonia, in order to observe his motions.

By the deputies employed in this service, the Romans obtained intelligence, that Perseus had made advances to the Achæans as well as to the Carthaginians, and to other states; and was likely to form a powerful party among the Greeks.

From this time forward the leaders of the public councils at Rome seemed to have taken a resolution to rid themselves of this object or cause of their jealousy; by suppressing entirely the Macedonian monarchy. In their way to the execution of this design, they renewed their attention to the state of parties in Greece, and endeavoured to reconcile all the differences that might incline any of those republics to oppose them. They encouraged Eumenes the king of Pergamus, who afterwards appears to have repented of the part which he took in this matter, to state his complaints. They brought him to Rome in person, and cited him before the Senate, to give a complete detail of the circumstances that were alarming in the policy of his neighbour. This prince having been thus brought forward as a formal accuser of Perseus, and being to return through Greece, in

order to offer his devotions at the temple of Delphi, was assaulted and wounded by a party who meant to assassinate him; and this design, with some other acts of violence, being imputed to the king of Macedonia, served as a pretence for the war which followed.

The Roman Senate had already granted two separate commissions, the one of a deputation to visit Macedonia, and to observe the motions of the king; the other of an embassy into Egypt, to confirm their alliance with Ptolemy. On hearing of the attempt that had been made to assassinate Eumenes, they directed one of the Prætors, Caius Sicinius, with a proper force, to pass into Epirus; and, in order to secure their access into that country, to take possession of Apollonia, and other towns on the coast. But a misunderstanding then subsisting between the two Consuls, and other principal men of the Senate, caused some obstruction to the farther immediate prosecution of the war.

Perseus, in the mean time, alarmed by the arrival of a Roman force in his neighbourhood, sent an embassy to Rome with expostulations on the subject, and with offers, by every reasonable concession that the Senate or the people could re[illegible]t the storm with which he was threaten[illegible]e Romans, affecting resentment of th[illegible]y pretended to have received, order[illegible]adors, without delay, to depart from I[illegible]e intimation, that if for the future [illegible]ve any proposal to make, he might address [illegible] to the commander of the Roman army in Epirus.

The interview, which soon after took place with the Roman commissioners, terminated with the most evident signs of hostility on both sides *. The king, on his own part, having taken minutes of what passed at their conference, sent copies to all the neighbouring states, in order to exculpate himself from any guilt in the approaching war; and as the event afterwards showed how much it was the interest of every nation to support him, he being the only power that could furnish protection against the usurpations they had so much reason to dread; so numbers, already moved by this apprehension, were inclined to favour his cause. The Rhodians, then a formidable naval power, though restrained by fear from an open breach with the Romans, yet gave sufficient evidence of this disposition. Eumenes likewise, though made a principal instrument in fomenting the present quarrel, soon became averse to its consequences. The Bœotians and Epirots, as well as the Illyrians, openly espoused the cause of Macedonia †.

These circumstances were stated at Rome as additional grounds of complaint against the king; and his endeavours to vindicate the part he had acted, were considered as attempts to form a hostile confederacy against the republic.

Some ships with land forces were accordingly assembled, and directed towards Epirus; and a declaration of war was issued, in the usual form of an act or resolution of the Roman people.

* Liv. lib. lxii, c. 25. † Polyb. Excerptæ Legationes, c. 61—67.

The Romans had now, during about twenty-five years, borne a principal part among the nations who surrounded the Mediterranean sea. The ascendant they had gained in all their wars or treaties, had made them common objects of fear or respect to all the contiguous powers of Europe, Asia, and Africa. The Macedonians, however, as the latest conquerors of the world, still retained a very high reputation for military skill and valour. The events of the late war rather surprised mankind, than convinced them of any decided superiority on the part of the Romans. The novelty of a new enemy, the mistakes or misconduct of the late king, might have accounted for his ill success. The kingdom had now been above twenty years exempted from any signal calamity, had re-established its armies, and filled its magazines and its coffers. The military establishment amounted to forty thousand men; the greater part formed and disciplined upon the plan of the phalanx, and supported with numerous troops of irregulars from the warlike cantons of Thrace. The king himself, in the vigour of manhood, sensible that the storm could not be diverted, affected rather to desire than to decline the contest; and, under all these circumstances, nations seemingly least i[illegible]ed in the consequences, were inter[illegible] that was about to be opened before

Eumenes, still supposed to [illegible]ent provocations, as well as invetera[illegible]er- seus, prepared to fulfil his profe[illegible] of the Romans.

Ariarathes, the king of Cappadocia, having recently formed an alliance by marriage with the family of Perseus, though otherwise inclined by his political interest to counteract the Macedonian power, determined to be neutral in the war.

Ptolemy Philomater, who then filled the throne of Egypt, was a minor. Antiochus Epiphanes, who had lately succeeded his brother Seleucus, in the kingdom of Syria, having been some time an hostage at Rome, affected in his own court the manners of a Roman demagogue; but was chiefly intent on his pretensions to Cælosyria, which he hoped to make good under favour of the approaching conjuncture formed by the minority of Ptolemy, and by the avocation of the Roman forces in Greece.

The Carthaginians, and the king of Numidia, while they severally preferred their complaints against each other before the Senate of Rome, vied likewise in their professions of zeal for the Roman republic, and in their offers of supply of men, horses, provisions, or ships.

Gentius, the king of Illyricum, had incurred the jealousy of the Romans; but remained undetermined what part he should take.

Cotys, a Thracian king, declared openly for Perseus. The people of Greece, in their several republics, were divided among themselves. The democratic and aristocratical parties took opposite sides; the first, being willing to exterminate the nobles by any means, generally favoured the king of Macedonia. The others were either inclined to the Romans, or wished to balance the rival powers,

so as to have for the future, in the protection of the one, some security against the encroachments of the other *.

The Romans had committed an error by sending into Epirus, a force so small, as the king of Macedonia might have cut off before it could be properly supported from Italy; but their commissioners, then in that country, had the address to amuse the king with a negotiation, and to divert him, during the first year of the war, from any attempt on Apollonia, or on any other station at which this division of their forces was lodged.

In the following summer, about seven years after the accession of Perseus to the throne of Macedonia, the project which had been formed at Rome for the reduction of that kingdom being committed to the Consul Licinius, this officer with his levies followed the troops which had been transported to the coast of Epirus; and while the fleet of the Romans, with that of their allies, assembled in the Straits of Eubœa, the armies on both sides began their operations. The Macedonians encamped at Sycurium, on the declivity of Mount Ossa. The Roman Consul penetrated into Thessaly; and, having passed the river Peneus, took post at Scea, twelve miles from the camp of the enemy. Here he was joined by Attalus, brother to the king of Pergamus, with four thousand men, and by smaller bodies collected from different states of Greece.

* Liv. lib. xlii, c. 29—50.

Perseus endeavoured to lay waste the kingdom of Pheræ, from which the Romans drew the greatest part of their subsistence; and an action ensued, in which the whole cavalry and light infantry of both armies being engaged, the Romans were defeated; and the Consul, no longer able to support his foraging parties on that side of the Peneus against a superior enemy, decamped in the night, and repassed the river.

Although this victory had a tendency to raise the hopes of the king, it was by him wisely considered as a fit opportunity to renew the overtures of peace; and in order to bring on a negotiation, it was resolved, that the conditions which, under the misfortune of repeated defeats, had been offered by his father, should be made the preliminaries of the present treaty.

It appeared to Perseus, and to those with whom he consulted, that, in the sequel of a victory, this would appear an act of moderation, not of fear; that all neutral powers, who dreaded the consequences of a decided superiority on either side, would favour the person who should propose to have peace re-established on moderate terms; and that the Romans, being induced to terminate the war under the effects of a defeat, would from thenceforward respect the Macedonian monarchy, or be cautious how they disturbed its tranquillity.

But if in this manner the opportunity was perceived, and wisely laid hold of by the councils of Perseus, it by no means escaped the Roman council

of war, which was assembled to receive the proposals of the king.

The Romans, whether from national spirit or policy, at all times declined entering on negotiations or treaties in consequence of defeats. They spurned the advances of a victorious enemy, while they received those of the vanquished with condescension and mildness. They accordingly, in the present case, treated the concessions of Perseus with disdain, haughtily answering, that he must submit at discretion *.

This reply was received at the court of Perseus with extreme surprise. But it produced still farther concessions; and instead of resentment from the king, a repetition of his message, with an offer to augment the tribute which had been paid by his father †.

The remainder of the summer having passed in the operations of foraging parties, without any considerable action, the Romans retired for the winter into Bœotia. On this coast the fleet, not having met with an enemy at sea, had made repeated descents to distress the inhabitants who had declared for the king of Macedonia, and the Consul took possession of his quarters without any resistance, in the interior parts of the country. In this, with the progress that was made by the army employed on the side of Illy-

* "In adversis vultum secundæ fortunæ gerere, moderari animos in secundis." Liv. lib. xlii, c. 62.

† Polyb. Excerpt. Legat. c. 69.

ricum in detaching that nation from Perseus, consisted the service of the first campaign.

Licinius, at the expiration of the usual term, was relieved by his successor in office, A. Hostilius Marcius. This commander, being defeated and baffled in some attempts he made to penetrate into the kingdom of Macedonia, appears to have made a campaign still less fortunate than that of his predecessor; and the Senate, at the end of the summer, having recalled him, in order that he might preside at the annual elections, sent a deputation in his absence to visit the army, and to inquire into the cause of their miscarriages, and the slowness of their progress.

The Romans, although they had experienced disappointments in the beginning of other wars, particularly in their first encounters with Pyrrhus and with Hannibal, and had reason to expect a similar effect in entering on the present contest, appear to have been greatly mortified and surprised at this unpromising aspect of their affairs. They were engaged with an enemy renowned for discipline, who had made war a trade, and the use of arms a profession; while they themselves, it appears, for a considerable period both before and after the present war, even during the most rapid progress of their arms, had no military establishment besides that of their civil and political constitution, no soldiers besides their citizens, and no officers but the ordinary magistrates of the commonwealth.

If this establishment had its advantages *, it may

* Vid. Chap. iii.

have appeared, on particular occasions, likewise to have had its defects. The citizen may have been too much a master in his civil capacity to subject himself fully to the bondage of a soldier; and too absolute in his capacity of military officer to bear with the control of political regulations. As the obligation to serve in the legions was general and without exception, many a citizen, at least in the case of any distant or unpromising service, would endeavour to shun his task. And the officer would not always dare to enforce a disagreeable duty on those by whom he himself was elected, or on whom he in part depended for farther advancement in the State.

At the beginning of this war, the legions were augmented from five thousand two hundred foot and two hundred horse, to six thousand foot and three hundred horse *; and probably, to raise the political authority of the Consul more effectually into that of a military commander in chief, he was commissioned to name the Tribunes, as well as the Centurions of the army, which was to serve under his orders: but, upon a complaint that this extension of the Consul's powers did not, by enforcing the discipline of the army, serve the purpose for which it was made, the People resumed their right of election in the appointment even of inferior officers.

The deputies, now sent into Macedonia by the Senate, reported, that the legions employed in that country were extremely incomplete, numbers both

* Liv. lib. xliii, c. 12.

of the lower officers and private men being, by the dangerous indulgence of their leaders, suffered to absent themselves from their colours *. This abuse we may apprehend to have been frequent in a service that was to be performed by citizens who had the choice of their own commanders. And from speculative ideas on the subject, if we were not bound to be governed by experience as the preferable tutor, we should be apt to reject, as an improper mode of forming an army, that very establishment by which the Romans conquered the world.

It is probable, that not only the defect of subordination in the beginning of a war, but the defect of skill, also, in the use of their peculiar weapons, made, in the Roman armies, a great disparity between raw and veteran troops. The use of the buckler and sword required great skill, agility, and muscular strength; all of them the effect of exercise and of continual practice. In battles, while the strong and the skilful escaped, the weak and the awkward were likely to perish; and every action not only exercised the arms of those who survived, but made a selection likewise of the vigorous and skilful, to be reserved for future occasions. Hence the experience of the soldier who survived many actions tended to confirm his courage, because his escape was in a great measure the effect of his skill, or of his strength; and upon a return of similar dangers, gave him confidence in himself. And hence pro-

* Liv. lib. xliii, c. 11.

bably, in the Roman armies, much more than in those of modern Europe, the practised soldier had a great superiority over the novice; and citizens, when brought into the field by rotation, had much to learn in the course of every campaign.

In the present contest, the checks of the first and the second year of the war, though extremely mortifying to the Romans, were received without any signs of irresolution, or change of their purpose. In the third year after the commencement of hostilities, the command of the army in Macedonia devolved on Q. Marcius Philippus, who, being chosen one of the Consuls, drew his province as usual by lot. This officer had been employed in one of the late deputations that were sent into Greece; had shewn his ability in the course of negotiations which preceded the war; and now, by his conduct as a general, broke through the line with which the king of Macedonia had endeavoured to secure the passes of the mountains, and to cover the frontier of his kingdom. But, when he had penetrated into Macedonia, he found himself at the end of the season, and, for want of proper supplies of provisions on that side of the mountains, unable any farther, in the present season, to pursue the advantage he had gained. Here, therefore, he staid only to deliver his army to Emilius Paulus, who had been named to succeed him. This was the son of that Paulus, who, being one of the Consuls commanding the Roman army at Cannæ, threw away his life rather than survive the

defeat. The son was now turned of sixty*; and by the length of his service, and the variety of his experience in Liguria and Spain, was well acquainted with the chances of war.

Emilius Paulus, upon his election, in order that he might not be liable to answer for the faults of his predecessors, moved, that deputies should be sent into Macedonia to review the army, and to make a report of its state before he himself should enter upon the command. His speech to the Assembly of the People, when about to depart from his province, carries a striking allusion to the petulant freedom with which, it seems, unsuccessful commanders were censured, or traduced in the popular conversations at Rome, and carries a defiance with which he proposed to silence the blame that might afterwards be attempted against himself. "Let such as "think themselves qualified to advise the general," he said, "now accompany me into Macedonia. "They shall have a passage on board my ship; "and, in the field, be welcome to a place in my "tent and at my table; but if they now decline "this offer, let them not afterwards pretend to "judge of what they neither have seen nor under-"stand. Let them not at a distance set up their "own opinion against that of a fellow-citizen, who "is on the spot, and serving the public to the ut-"most of his ability, and at the hazard of his ho-"nours and of his life."

Emilius, upon his arrival in Macedonia, found the

* Plutarch. in vit. Emil. p. 157.

king entrenched on the banks of the Enipeus, with his right and left covered by mountains, on which all the passes were secured. After some delay, during which he was employed in observing the enemy's position, or in improving the discipline of his own army, he sent a detachment to dispossess the Macedonians of one of the stations which they occupied on the heights, and with orders to the officer who commanded in this service, that, if he succeeded in it, he should descend to the plain in the rear of the enemy; whilst he himself, in the mean time, should make a feint to attack them in front.

The post on the heights being forced, Perseus relinquished his present position, and fell back towards Pydna on the banks of the Aliacmon. Here it became necessary for him either to hazard a battle, or, on account of the nature of the country behind him, to separate his forces.

He preferred the first, and made choice of a plain that was fit to receive the phalanx, while it was skirted with hills, on which his light troops could act with advantage.

Here too the Roman Consul continued to press upon him, and was inclined to seize the first opportunity of deciding the war. In this disposition, both armies, as by appointment, presented themselves on the plain in order of battle, and Emilius Paulus seemed eager to engage; but, as he himself used to confess, having never beheld an appearance so formidable as when the Macedonians levelled their spears, he thought proper to halt *. Though much

* Polyb. Fragment. vol. iii, p. 247.

disconcerted, he endeavoured to preserve his countenance, and would not recede from his ground. That he might encamp his army where they now stood, he ordered the first line to remain under arms, and ready to attack the enemy, while those who were behind them began to intrench: having in this manner cast up a breastwork of considerable strength, he retired behind it, and under this cover completed the fortifications of a camp in the usual form.

In this position, he waited for an opportunity to attack, when the enemy should be less prepared to receive him, or not have time to avail themselves so much of that formidable order which constituted the strength of their phalanx.

Before any such occasion offered, a skirmish took place in the fields between the two armies. A horse having broke loose from the camp of the Romans, fled towards that of the Macedonians, was followed by numbers of one side, and met by numbers on the other. These parties engaged, occasioned a general alarm: being supported from their respective camps, the conflict became serious, and both armies turned out in their respective orders of battle. The ground was favourable to the phalanx; and the Macedonians, though hastily formed, still possessed against the Romans the advantage of their weapons, and of their formidable column. They filled up the plain in front, and could not be flanked. They had only to maintain their ground, without any movement, in the time of action, to discompose their ranks, or hazard being broke by any change of po-

sition. They accordingly, while they preserved their line in front, withstood with ease the first shock of the Roman legions; but in the sequel, being disordered by the partial attacks which were made at intervals by the manipules, or the separate divisions of the Roman foot, they incurred the specific and only disadvantage to which they were exposed from such an enemy. The parts of the phalanx that were attacked, whether they were pressed in, or came forward to press on their enemy, could not keep in an exact line with the parts that were not attacked. Openings were accordingly made, at which the Roman soldier, with his buckler and short sword, could enter, and get within the point of his antagonist's spear. Emilius observing this advantage, directed his attack chiefly on those places at which the front of the phalanx seemed to be disjointed or broken; and the legionary soldier, being mixed with the ranks of the column, in this condition made a havock which soon threw the whole into disorder and general rout *.

Twenty thousand of the Macedonians were killed on the field, five thousand were made prisoners in their flight; and six thousand, who shut themselves up in the town of Pydna, were obliged to surrender at discretion †.

After this defeat, the king of Macedonia, with a few attendants, fled to Pella, where, having taken up his children and the remains of his treasure, amounting to ten thousand talents, or about two

* Plutarch. in vit. Emil. p. 173. † Liv. lib. xliv, c. 42.

millions Sterling *, he continued his flight to Amphipolis, and from thence to Samothracia, where he took refuge in the famous sanctuary of that island.

Emilius advanced to Amphipolis, receiving the submission of all the towns and districts as he passed. The Prætor, Octavius, then commanding the Roman fleet, beset the island of Samothracia with his ships; and, without violating the sanctuary, took measures which effectually prevented the king's escape.

This unfortunate prince, with some of his children, delivered themselves up to the Prætor, and were conducted to the camp of Emilius. Here the king threw himself on the ground, and would have embraced the victor's knees, when the Roman general, with a condescension that is extolled by ancient historians, gave him his hand, and raised him from the ground, but reproached him as the aggressor in the late contest with the Romans; and with a lesson of morality, which tore up the wounds of the unfortunate monarch, bid the young men who were present look on this object as an example of the instability of fortune, and of the vicissitude of human affairs.

While the war in Macedonia was coming to this issue, that in Illyricum had a like termination, and ended about the same time in the captivity of the king.

News of both were received at Rome about the

* Justin. lib. xxxiii, c. 1.

same time, and filled the temples, as usual, with multitudes who crowded to perform the public rites of thanksgiving that were ordered by the Senate. Soon after, embassies arrived from all the kings and states of the then known world, with addresses of congratulation on so great an event. The Senate proceeded to form a plan for the settlement of Macedonia.

It was resolved to extinguish the monarchy, to divide its territory into four districts, and in each to establish a republican government, administered by councils and magistrates chosen by the People. This, among the Greeks, could pass for an establishment of absolute freedom, a gift which these conquerors affected to have in reserve for every nation connected with Greece. Ten commissioners were named to carry this plan into execution in Macedonia, and five were appointed for a similar purpose in Illyricum. Emilius was continued in his command, and the army ordered to remain in Macedonia until this form of a free constitution should be enforced.

The commissioners, agreeably to their instructions, fixed the limits of the several districts, and, probably to perpetuate the separation of them, or to prevent any dangerous communication between their inhabitants, prohibited them to intermarry, or to hold any commerce, or to transfer in the property of land, from one division to another.

To some other restrictions, which had more a tendency to weaken or to dismember this once powerful monarchy, than to confer freedom on the peo-

ple, they joined an act of favour, in considerably diminishing their former burdens, reducing their tribute to one half of what they had usually paid to their own kings; and to facilitate or to secure the reception of the republican form which was devised for them, they ordered all the ancient nobles, and all the retainers of the late court, as being irreconcileable with the supposed equality of citizens under a republic, to depart from the kingdom, and to choose places of residence for themselves in Italy.

A like plan was followed with respect to Illyricum, which was divided into three districts; and the kings both of Macedonia and this country, with many other captives, were conducted to Rome to adorn the triumph of their conquerors.

Perseus is said to have lived as a prisoner at Alba, about four years after he had been exhibited in this procession. Alexander, one of his sons, had an education calculated merely to secure his subsistence, by enabling him to act as a scribe or a clerk, a station in which he came to be actually employed in some of the public offices at Rome.

While the event of the Macedonian war was yet undecided, and no considerable advantage, either of conduct or fortune, appeared on the side of the Romans, they still preserved the usual arrogance of their manner, and interposed with the same imperious ascendant in the affairs of Greece, Asia, and Africa, that they could have done in consequence of the most decisive victory. It was at this time that, by the celebrated message of Popilius Lænas, they put a stop to the conquests of Antiochus Epiphanes

in Egypt. This prince, trusting to the full employment of the Roman forces in Greece, had ventured to invade the kingdom of Ptolemy, and was in possession of every part of it, except the city of Alexandria. He was occupied in the siege of this place when Popilius arrived, and delivered an injunction from the Senate of Rome to desist. The king made answer, That he would consider of it. "Determine "before you pass this line," said the Roman, tracing a circle with the rod which he held in his hand. This people, however, had occasion, during the dependence of the Macedonian war, to observe that few of their allies were willing to support them in the extremes to which they seemed to be inclined. The Epirots had actually declared for the king of Macedonia. The Rhodians had offered their mediation to negotiate a peace, and threatened hostility against either of the parties who should refuse to accept of it. Even Eumenes was suspected of having entered into a secret treaty with Perseus, although the fall of that prince prevented any open effects of their concert.

The Romans, nevertheless, disguised their resentment of these several provocations, until their principal enemy, the king of Macedonia, was subdued; but this end being obtained, they kept no measures, proceeding against his abettors with a severity which in those times was supposed to be permitted in the law of nations, and no more than proportioned to the offence which had been given. They gave orders to Emilius, in passing through Epirus, to lay that country under military execu-

tion. Seventy towns were accordingly destroyed, and an hundred and fifty thousand of the people sold for slaves.

The Senate refused to admit the ambassadors of Rhodes, who came to congratulate the Roman people on their victory at Pydna. They stripped those islanders of the provinces which had been granted to them on the continent by the late treaty with Antiochus, and ordered them to discontinue some duties levied from ships in passing through their sound, which made a considerable part of their revenue.

While Eumenes was coming in person to pay his court to the Senate, they framed a resolution to forbid the concourse of kings at Rome. Their meaning, though expressed in general terms, was evidently levelled at this prince; and they ordered, that when he should arrive at Brundisium, this resolution should be made known, to prevent his nearer approach.

They in reality, from this time forward, though in the style of allies, well nigh dropped their former mask, and treated the Grecian republics as subjects.

Such was the rank which the Romans assumed among nations; while their statesmen still retained much of their primeval rusticity, and did not consider the distinctions of fortune and equipage as the appurtenances of power or command. Cato, though a citizen of the highest rank, and vested successively with the dignities of Consul and of Censor, used to partake in the labour of his own slaves, and to feed with

them from the same dish at their meals *. When he commanded the armies of the republic, the daily allowance of his household was no more than three medimni, or about as many bushels of wheat for his family, and half a medimnus, or half a bushel of barley for his horses. In making the rounds of his province he usually travelled on foot, attended by a single slave who carried his baggage †.

These particulars are mentioned perhaps as characteristic of Cato; but such singularities in the manners of a person placed so high among the people, carry some general intimation of the fashion and practice of the times.

A spirit of equality yet reigned among the members of the commonwealth, which rejected the distinctions of fortune, and checked the admiration of private wealth. In all military donations the Centurion had no more than double the allowance of a private soldier, and no military rank was indelible. The Consul and Commander in Chief of one year served not only in the ranks, but even as a Tribune or inferior officer in the next; and the same person who had displayed the genius and ability of the general, still valued himself on the courage and force of a legionary soldier.

No one was raised above the glory to be reaped from the exertion of mere personal address and bodily strength. Men of the highest condition sent or accepted defiance to fight in single combat, in pre-

* Plutarch in vit. Catonis, p. 330.

† Ibid, p. 335. et 338.

sence of the armies to which they belonged. Marcus Servilius, a person of consular rank, in order to enhance the authority with which he spoke, when he pleaded for the triumph of Paulus Emilius, informed the people, that he himself, full three and twenty times, had fought singly with so many champions of the enemy, and that in each of these encounters he had slain and stripped his antagonist. A combat of the same kind was afterwards fought by the younger Scipio when serving in Spain.

Now, for the first time, according to Livy, the streets of Rome were paved with stone, and the highways laid with gravel *.

The sumptuary laws of this age were suited to the idea of citizens who were determined to contribute their utmost to the grandeur of the State, but to forego the means of luxury or personal distinction. Roman ladies were restrained, except in religious processions, from the use of carriages any where within the city, or at the distance of less than a mile from its walls; and yet the space over which they were to preserve their communications extended to a circuit of fourteen miles, and began to be so much crowded with buildings or cottages, that, even before the reduction of Macedonia, it was become necessary to restrain private persons from encroaching on the streets, squares, and other spaces reserved for public convenience. In a place of this magnitude, and so stocked with inhabitants, the female sex was also forbid the use of variegated or party-coloured

* Liv. lib. xli, c. 27.

clothes, or of more than half an ounce of gold in the ornament of their persons. This law being repealed, contrary to the sentiments of Cato, this citizen, when he came vested with the authority of Censor, to take account of the equipages, clothes, and jewels of the women, taxed each of them tenfold for whatever was found in her wardrobe exceeding the value of one thousand five hundred denarii, or about fifty pounds Sterling *.

The attention of the legislature was carried into the detail of entertainments or feasts. In one act the number of the guests, and in a subsequent one the expence of their meals, was limited. By the Lex Tribonia, enacted about twenty years after the reduction of Macedonia, a citizen was allowed, on certain high festivals, to expend three hundred asses, or about twenty shillings Sterling; on other festivals of less note, one hundred asses, or about six shillings and eightpence; but during the remainder of the year, no more than ten asses, or about eightpence; and was not allowed to serve up more than one fowl, and this with a proviso that it should not be crammed or fatted †.

Superstition made a principal article in the character of the people. It subjected them continually to be occupied or alarmed with prodigies and ominous appearances, of which they endeavoured to avert the effects by rites and expiations, as strange and irrational as the presages on which they had grounded their fears. Great part of their time was

* Liv. lib. xxxiv, c. 1—6. † Plin. lib. x, c. 50.

accordingly taken up with processions and public shews, and much of their substance, even to the whole annual produce of their herds *, was occasionally expended in sacrifices, or in the performance of public vows. The first officers of State, in their functions of priesthood, performed the part of the cook and the butcher; and while the Senate was deliberating on questions of great moment, examined the entrails of a victim, in order to know what the gods had determined. "You must desist," said the Consul Cornelius, entering the Senate with a countenance pale and marked with astonishment; "I myself have visited the boiler, and the head of the liver is consumed †."

According to the opinions entertained in those times, sorcery was a principal expedient employed by those who had secret designs on the life of their neighbour. It was supposed to make a part in the statutory crime of poisoning ‡; and the same imagination which admitted the charge of sorcery as credible, was, in particular instances, when any person was accused, easily convinced of his guilt; insomuch that some thousands were at times convicted together of this imaginary crime §.

Either the manners of the people of Italy were at times subject to strange disorders, or the magistrate gave credit to wild and improbable reports. The story of the Bacchanals, dated in the year of Rome

* The Ver Sacrum was a general sacrifice of all the young of their herds for a whole year.

† Liv. lib. xli, c. 15. ‡ Liv. lib. xxxix. c. 41. § Veneficium.

five hundred and sixty-six, or about twenty years before the conquest of Macedonia, may be considered as an instance of one or of the other *. A society, under the name of Bacchanals, had been instituted, with solemn engagements to secrecy, on the suggestion of a Greek pretender to divination. The desire of being admitted to partake in the wonders of this mysterious society prevailed throughout Italy, and the sect became extremely numerous. As they commonly met in the night, they were said at certain hours to extinguish their lights, and to indulge themselves in every practice of horror, rape, incest, and murder; crimes under which no sect or fraternity could possibly subsist, but which, in being imputed to numbers in this credulous age, gave occasion to a severe inquisition, and proved fatal to many persons at Rome, and throughout Italy.

The extreme superstition, however, of those times, in some of its effects, vied with genuine religion; and, by the regard it inspired, more especially for the obligation of oaths, became a principle of public order and of public duty, and in many instances superseded the use of penal or compulsory laws.

When the citizen swore that he would obey the call of the magistrate to enlist in the legions; when the soldier swore that he would not desert his colours, disobey his commander, or fly from his enemy; when a citizen, at the call of the Censor, reported on oath the amount of his effects; the State, in all those instances, with perfect confidence, relied

* Liv. lib. xxxix, c. 8, et sequen.

on the good faith of her subjects, and was not deceived.

In the period to which these observations refer, that is, in the sixth century of the Roman State, the first dawning of literature began to appear. It has been mentioned that a custom prevailed among the primitive Romans, as among other rude nations, at their feasts to sing or rehearse heroic ballads, which recorded their own deeds or those of their ancestors *. This practice had been some time discontinued, and the compositions themselves were lost. They were succeeded by pretended monuments of history equally fallacious, the orations which, having been pronounced at funerals, were, like titles of honour, preserved in the archives of every noble house, but which were rather calculated to flatter the vanity of families, than to preserve the records of state †.

The Romans owed the earliest compilations of their history to Greeks; and in their own first attempts to relate their story, employed the language of that people ‡. Nævius and Ennius, who were the first that wrote in the Latin tongue, composed their relations in verse. Livius Andronicus, and afterwards Plautus and Terence, translated the Greek fable, and exhibited on the stage at Rome, not the Roman, but Grecian manners. The two last are said to have been persons of mean condition; the one to have subsisted by turning a baker's mill, the other to have been a captive and a slave. Both of

* Cic. de Claris Oratoribus, c. 19. † Ibid. p. 394.
‡ Dion. Hal. lib. i, p. 5.

them had probably possessed the Greek tongue as a vulgar dialect, which was yet spoken in many parts of Italy, and from this circumstance, became acquainted with the elegant compositions of Philemon and Menander *.

Their comedies were acted in the streets, without any seats or benches for the reception of an audience. But a nation so little studious of ordinary conveniencies, and contented to borrow their literary models from neighbours, to whom, being mere imitators, they continued for ages inferior, were, however, in their political and military character, superior to all other nations whatever; and, at this date, had extended a dominion, which originally consisted of a poor village on the Tiber, to an empire and territory that is now scarcely equalled by any kingdom or state in the west of Europe.

U. C. 586.

* The people of Cumæ, about this time, applied for leave to have their public acts, for the first time, expressed in Latin.

CHAP. VIII.

State, manners, and policy of the times continued.—Repeated complaints from Carthage.—Hostile dispositions of the Romans.—Resolution to remove Carthage from the coast.—Measures taken for this purpose. Carthage besieged.—Taken and destroyed.—Revolt of the Macedonians.—Their kingdom reduced to the form of a Roman province.—Fate of the Achæan league.—Operations in Spain.—Conduct of Viriathus.—State of Numantia.—Blockade of Numantia. Its destruction.—Revolt of the slaves in Sicily.—Legal establishments and manners of the city.

The reduction of Macedonia was in many respects a remarkable epoch in the history of Rome. Before this date Roman citizens had been treated as subjects of their own government, and permitted themselves to be taxed. They were required at every census to make a return of their effects upon oath, and, besides other stated or occasional contributions to the public, paid a certain rate on the whole value of their property. But upon this event they assumed more entirely the character of sovereigns; and having a treasury replenished with the spoils of their new conquest, exempted themselves from their former burdens.

The accession of wealth, said to have put them in this condition, is variously reported. Livy quotes

Valerius Antias as stating it at *millies ducenties*, or about a million Sterling; Velleius Paterculus states it at double this sum, and Pliny at somewhat more *. But the highest of these computations does not appear sufficient to produce the effect. It is more likely that the ordinary income of the treasury, consisting of the sums so frequently deposited at the triumphs of victorious leaders, the tributes received from Carthage and Syria, the rents of Campania, the tithes of Sicily and Sardinia, with the addition not of the spoils of Macedonia merely, but of the revenue constituted in that country, put the Romans at last in condition to exempt themselves from taxation; an effect which no definite sum could produce, if subject to the drain of continual expence, without the supply of a proportional revenue to replace it. The Roman treasury, when examined about ten years after this date, was found to contain, in bars of gold and silver, and in coin, not much more than half a million Sterling †; a sum surely which, without a proper and regular supply, must have been soon exhausted.

From the conclusion of the war with Perseus, the Romans, for twenty years, do not seem to have been engaged with any considerable enemy; and their numerous colonies, now dispersed over Italy, from Aquileia to Rhegium, probably made great advances, during this period, in trade, agriculture, and the

* Velleius, lib. i, c. 9. Plin. lib. xx

† Plin. lib. xxxiii, c. 3. In gold 16,810 Æ. in coin 620,854,000 H. S. Arbuthnot on Ancient C

other arts of peace. Among their public works are mentioned, not only temples and fortifications, particulars in which nations attain to magnificence even in rude ages, but likewise aqueducts, market-places, pavements, highways, and other conveniencies, the preludes or attendants of wealth and commerce.

Cato, in pleading against the repeated election of the same person into the office of Consul, exclaimed against the luxury of the times, and alleged, that so many citizens could not support their extravagance by any other means than that of draining the provinces, on occasion of their repeated appointments to command. "Observe," he said, "their villas "how curiously built, how richly furnished with "ivory and precious wood. Their very floors are "coloured or stained in the Punic fashion *."

Laws had been formerly provided to fix the age at which citizens might be chosen into the different offices of State †. And on the occasion on which Cato made this speech, it was enacted that the same person could not be repeatedly chosen. At the same time were made those additions to former sumptuary laws which have been already mentioned. The Census, or enrolment of the People, became an object of more attention than formerly: even the Latin allies, though settling at Rome, were not admitted as citizens ‡; as to the.

Lex Annalis.

* Vid. Pompeium Festum.

† It appears that, by this law, being Quæstors at thirty-one, they might rise to the consulate at forty-three.

‡ Plutarch, in the life of Flamininus, mentions a law by which the Censors were obliged to enrol every freeman that offered. The Latins complained, that their towns were depopulated by emigrations to Rome. Liv. lib. xli, c. 8.

numbers of the people, they generally m[illegible] from three to four hundred thousand men.

While the Romans had no war to mainta[illegible] the more regular and formidable rivals o[illegible] power, they still employed their legions on t[illegible] tier of their provinces in Spain, Dalmatia, I[illegible] and on the descents of the Alps. They ope[illegible] the first time, an intercourse with the Tra[illegible] nations, by a treaty of alliance with the rep[illegible] Marseilles; in consequence of which, they [illegible] ed that mercantile settlement from the attacks of fierce tribes, who infested them from the maritime extremities of the Alps and the Appenines. In the differences which arose among hordes in their neighbourhood, they were frequently admitted as umpires, gave audience to the parties, enforced their own decrees, and disposed of provinces and kingdoms at their pleasure. They kept a vigilant eye on the conduct and policy of all the different powers with whom they were at any time likely to be embroiled, and generally conducted their transactions, even with nations supposed independent, as they adjusted the business of their own distant possessions, by commission or deputation from the Senate, empowered to decide, with the least possible delay, on such matters as might arise in the place to which their deliberations referred.

The number of commissioners employed in these services, for the most part, was ten. These took informations, formed plans, and m[illegible] their reports for the final decision of the Senat[illegible] a pr[illegible] for-tunate or well advised, by which the m[illegible] this

respectable body, in rotation, had an opportunity of becoming acquainted with that world which they were destined to govern.

The Senate itself, though, from its numbers and the emulation of its members, likely to embarrass affairs by debate, delay, and the rash publication of its secret designs, in reality possessed all the advantages of decision, secrecy and dispatch, that could be obtained in the most select executive council, insomuch that their intentions frequently continued to be secret, until they became known in the execution or effect. It was thus, that although the king of Pergamus made a journey to Rome, in order to excite the Romans to a war with his rival the king of Macedonia; that although he preferred his complaints in the Senate, and prevailed in obtaining a resolution to make war; yet no part of the transaction was public, until after the king of Macedonia was a prisoner at Rome. And this numerous assembly of citizens or statesmen maintained throughout, and during a long period, one series of constant and uniform design, equally calculated in peace to extend their dominion by intrigue, as in war by conquest. During the present respite from any considerable war, still intent on the enlargement of their influence, they balanced the kingdoms of Pergamus, Bythinia, and Cappadocia, against one another, in such manner as to be able at pleasure to oppress any one that should become refractory or incur suspicion of any hostile design. And in a like strain of deliberate artifice, they made the kingdom of Syria devolve on a minor, the son of Antiochus, who him-

self, at the death of his father Seleucus, had suc
ed to the exclusion of Demetrius his elder bro
then an hostage at Rome *. And under pre
of this minority, they sent a commission to
charge of the kingdom, were advancing fast t
entire possession of it, when their commission
Antioch were assaulted with connivance of the
Octavius one of the number was killed, an
others forced to fly from the country.

On this occasion Demetrius, the more legit
claimant of the throne of Syria, being still detained in a species of liberal confinement at Rome, thought the opportunity favourable to urge his pretensions, and to prevail on the Senate to restore him to the succession of his father's crown: but these crafty usurpers, notwithstanding the offence they had received from those by whom this prince was excluded from his right, preferred the advantages which they had over a minor king, to the precarious affection or gratitude of an active spirited young man, educated among themselves, and taught by their own example to know his interest, and the means of supporting it; and they accordingly denied his request.

Demetrius, however, made his escape from Rome, and, by the death of the minor and his tutor, got unrivalled possession of the kingdom. To pay his court to the Romans, as one of the first acts of his reign, he sent the murderer of their late commissioner, Octavius, in chains, to be pu

* Valer. Maxim. lib. ii, c. 2.

discretion. But the Senate disdained to wreak their public wrongs on a private criminal; or, having cause of complaint against the nation at large, were not to be satisfied with the punishment of a single person. They suffered the prisoner, accordingly, as beneath their attention, to depart.

As patrons of the kingdom of Egypt, they promoted the dismemberment of the monarchy, in causing it to be divided between the two brothers, who were then joined in the sovereignty, and rivals for the sole possession of the throne *,

During the progress of these transactions, in which the Romans, by means in appearance pacific, were hastening to universal dominion, the Senate had repeated complaints from Africa, leading to a contest, of which the event was more decisive in their advances to empire, than that of any other in which they had hitherto been engaged. In their conduct throughout, being now less solicitous than formerly of what the world should think, they, contrary to their usual pretensions to national generosity and liberality, sacrificed, without reserve, the states which opposed them, to the ambition, or to the meanest jealousy, of their own republic †.

The province of Emporiæ, a district lying on the coast, and the richest part of the Carthaginian territory, had been violently seized by Gala, late king of Numidia, and father of Massinissa. It had been restored to Carthage by Syphax, when he supplanted the family of Gala on the throne of that kingdom;

* Polyb. Excerptæ Legationes. † Ibid. No. 142.

but now again usurped by Massinissa, when replaced on his throne by the power of the Romans, who were likewise disposed to support him in his claim to the subject in dispute; and the Carthaginians, prohibited by the late treaty from making war on any of the Romans, had recourse to complaints and representations, which they made at Rome, both before and after the reduction of Macedonia. The Roman Senate had, for five and twenty years, eluded these complaints, and, during this time, was in the practice of sending commissioners into Africa, under pretence of hearing the parties in this controversy, but with instructions or dispositions to favour Massinissa, and to observe, with a jealous eye, the condition and the movements of their ancient rival *.

The Carthaginians, yet possessed of ample resources, and, if wealth or magnificence could constitute strength, still a powerful nation; being weary of many vain applications and suits, took their resolution to arm, and to assert by force their claim to the territory in question.

In proceeding to execute this resolution, they were met in the field by the army of Massinissa, commanded by himself, though now about ninety years of age, and were defeated †.

This unfortunate event at once disappointed their hopes, and exposed them to the resentment of the Romans, who considered the attempt to do them-

* Polyb. Excerptæ Legationes, c. 118. Liv.

† Liv. Epitome, lib. xlviii. Appian, de Bell.

selves justice as a contravention of the late treaty, and a violation of the peace subsisting between the two nations.

The expediency of a war with Carthage had been for some time a subject of debate in the Roman Senate. Deputies had been sent into Africa, to procure the information that was necessary to determine this question. Among these Cato, being struck with the greatness, wealth, and populousness of that republic, and with the amazing fertility of its territory, when he made his report in the Senate, carried in a fold of his gown a parcel of figs, which he had brought from thence. "These," he said, "are "the produce of a land that is but three days' sail "from Rome. Judge what Italy may have to fear "from a country whose produce is so much supe- "rior to its own. That country is now in arms; "the sword is drawn against Massinissa; but when "thrust in his side, will penetrate to you. Your "boasted victories have not subdued the Carthagi- "nians, but given them experience, taught them "caution, and instructed them how to disguise, un- "der the semblance of peace, a war which you will "find to be marshalled against you in their docks "and in their arsenals." This, and every other speech on the subject, the partial severity of this celebrated counsellor concluded with his famous saying, which was but too favourably received, "That "Carthage should be destroyed*;" so little fore-

* "Delenda est Carthago."

sight have nations of the ruin they prepare for themselves by the destruction of others.

Scipio Nasica, however, another speaker in debate, resisted the doctrine of Cato; represented the forces of Carthage as not sufficient to alarm Romans; or, if really greater than there was any son to suppose them, no more than were requir call forth into action or keep alive the virtues people who, for want of proper exertion, wer ready begun to decline in strength, vigilance, discipline, and valour.

In this diversity of opinions, it appeared soon after, that the Senate, endeavouring to palliate the measure, by some appearance of moderation in the terms, resolved not to destroy, but to remove the inhabitants of Carthage to a new situation, at least ten miles from the sea †.

The Carthaginians, after their late unfortunate adventure with Massinissa, were willing to preserve their effects, and to purchase tranquillity by the lowest concessions. But as the measure now proposed by the Roman Senate amounted to a deprivation of all that immoveable property which was vested in houses or public edifices, and an entire suppression of all those local means of subsistence which could not be easily transferred from the coast to an inland situation, it was supposed that their consent could not be easily obtained, and it was

---

* Appian. in Punicis. Plutarch in vit. Catonis. Zonaras, lib. ix, c. 26. Oros. lib, iv, c. 22. Velleius, lib. i, c. 12. Polyb. Excerptæ Legationes, No. 142.

accordingly resolved to keep the design a secret, until effectual means were prepared for its execution.

The Consuls, without any declaration of war, were instructed to arm, and to pass with their forces into Sicily. As their arrival on that island, which was then in a state of profound peace, evidently implied a design upon Africa, the people of Utica, that they might have the merit of an early declaration in favour of the Romans, sent a deputation to make them a tender of their own sea-port and town, as a fit harbour and place of arms for the accommodation of their forces. The Carthaginians, meanwhile, were distracted with opposite counsels. Considering their present troubles as originating in the war with Massinissa, they laid the blame on Hasdrubal the supposed author of it, and him with his abettors they ordered into exile; but without coming to any other resolutions, formed a commission, with full powers to proceed as circumstances might require, and agree to whatever they should find most expedient for the commonwealth.

These commissioners, on their arrival at Rome, finding no disposition in the Senate to treat with them upon equal terms, resolved if possible to arrest, by the most humble concessions, the sword that was lifted up against their country. They accordingly acknowledged the imprudence of their late conduct, and implored forgiveness. They quoted the sentence of banishment passed upon Hasdrubal and his party, as an evidence of their contrition for the hostilities lately offered to Massinissa; and

they made a formal surrender of their city and its territory, to be disposed of at the pleasure of the Romans.

In return to this act of pusillanimity and [illegible] they were told, with an artful reservation, that the Romans, approving their conduct, meant to leave them in possession of their freedom, their laws, their territory, and of all their effects, whether private or public: but, as a pledge of their compliance with the measures that might be necessary to prevent the return of former disputes, they demanded three hundred hostages, the children of Senators, or of the first families in Carthage. This demand being reported in the city, gave a general alarm; but the authors of these counsels were too far advanced to recede. They tore from the arms of their parents the children of families the most distinguished in the commonwealth; and, amidst the cries of affliction and despair, embarked those hostages for Sicily. Upon this island they were delivered over to the Roman Consuls, and were by them sent forward to Rome.

The commanders of the Roman armament, without explaining themselves any further, continued their voyage, and, by their appearance on the coast of Africa, gave a fresh alarm at Carthage. Deputies from the unfortunate inhabitants of that place went to receive them at Utica, and were told, that they must farther deliver up their arms, ships, engines of war, naval and military stores. Even these alarming commands they received as the strokes of fate, which could not be avoided. "We do not

"mean," said one of the deputies, "to dispute "your commands; but we entreat you to consider, "to what a helpless state you are about to reduce "an unfortunate people, who, by this hard condi- "tion, will be rendered unable to preserve peace "among their own citizens at home, or to defend "themselves against the meanest invader from a- "broad. We have banished Hasdrubal in order to "receive you: we have declared him an enemy to "his country, that you might be our friends: but "when we are disarmed, who can prevent this ex- "ile from returning to occupy the city of Carthage "against you? With twenty thousand men that fol- "low him, if he comes into the direction of our go- "vernment, he will soon oblige us to make war on "you *." In answer to this piteous expostulation, the Roman generals undertook the protection of Carthage, and ordered commissaries to receive the several articles that were to be surrendered, and to see the arsenals emptied, and the docks destroyed.

It is reported, that there were delivered, upon this occasion, forty thousand suits of armour, twenty thousand catapulæ, or large engines of war, with a plentiful store of darts, arrows, and other missiles.

So far, well knowing the veneration which mankind entertain for the seats and tombs of their ancestors, with the shrines and consecrated temples of their gods; and dreading the effects of a despair with which the people might be seized, on perceiving how much they were to be affected in their private and

* Polyb. Excerpt. Legat. c. 142.

public property, the Roman officers proceeded with caution. But now, thinking their objects secure, they no longer disguised their intentions. The Consul called the Carthaginian deputies into his presence, and beginning with an exhortation that they should bear with equanimity what the necessity of their fortune imposed, declared as the definitive resolution of the Roman Senate, that the people of Carthage must relinquish their present situation, and build on any other part of their territory, not less than eighty stadia, or about ten miles removed from the sea. The amazement and sorrow with which this declaration was received, justified the precautions which had been taken to secure the execution of the intended measure. The deputies threw themselves upon the ground, and endeavoured, from motives of pity, or of reason, to obtain a revocation of this cruel and arbitrary decree. They pleaded the merit of their implicit submission, their weakness, their inability any longer to alarm the jealousy of Rome, circumvented, disarmed, bound to their duty by hostages the most precious blood of their citizens. They pleaded the faith which the Romans had plighted, the hopes of protection they had given, and the reputation they had justly acquired, not only for national justice, but for clemency and generosity to all who sued for protection. They pleaded the respect which all nations owed to the shrines and the consecrated temples of their gods; the deplorable state into which numbers of their people must be reduced, expelled from their habitations and immoveable possessions, the principal articles of their property, and

the hopeless condition of others, who, inured to subsist by the advantages of a maritime situation, were entirely disqualified to support themselves or their children at a distance from the sea.

The Roman Consul replied, by repeating the express orders of the Senate, and bid the Carthaginians remember, that states were composed of men, not of ramparts and walls: That the Roman Senate had promised to spare and protect the republic of Carthage; and that they had fulfilled this engagement, by leaving the people in possession of their freedom and their laws: That the sacred places should remain untouched, and that the shrines of the gods would still be within the reach of their pious visits: That the distance to which it was proposed to remove Carthage from the sea was not so great as the distance at which Rome herself was placed; and, in short, it was a matter fully decided, that the people of Carthage should no longer have under their immediate view that element which, opening a way to their ambition, had tempted them first into Sicily, afterwards into Spain, and last of all into Italy, and to the gates of Rome; and which would never cease to suggest projects of aggrandisement dangerous to themselves, and inconsistent with the peace of mankind. "We go then," said the deputies of Carthage, "to certain death, which we have merited by ha-"ving persuaded our fellow-citizens to resign them-"selves into the hands of the Romans. But if you "mean to have your commands obeyed, you must "be ready to enforce them; and by this means you "may save an unfortunate people from exposing

" themselves, by any act of despair, to worse suffer-
" ings than they have yet endured."

The deputies accordingly, being followed at a distance by twenty galleys of the Roman fleet, set sail for Carthage. They were received on the shore by multitudes, who crowded to hear the result of their negotiations; but the silence they preserved, under pretence that it was necessary to make their report first to the Senate, spread a general dismay. In the Senate their message was received with cries of despair, which soon conveyed to the people in the streets a knowledge of the conditions imposed upon them. And this nation, who, about forty years before, had consented to betray a principal citizen into the hands of their enemy, and who had lately resigned all the honours and pretensions of a free state, now kindled into rage at the thoughts of being obliged to destroy their habitations, and part with so great apart of their wealth, as could not be removed. They burst into the place where the Senate was assembled, and laid violent hands on all the members who had advised or borne any part in the late degrading submissions, or who had contributed to bring the state into its present helpless condition. They took vengeance, as is common with a corrupted populace, on others, for faults in which they themselves had freely concurred; and, as awake to new sentiments of honour, they reviled the spirit of their own commonwealth, ever ready to barter national character for profit, to purchase safety with shameful concessions, and to remove a present danger, by giving up what is the only security of nations against

any danger, the reputation of their vigour, and the honour of their arms.

While the multitude broke into every kind of disorder, a few had the precaution to shut the gates, to stretch the chain which obstructed the entrance of the harbour, and to make a collection of stones on the battlements, these being now the only weapons they had left to repel the expected attack of the Romans. The remains of the Senate too, without reflecting on the desperate state of their own affairs, resolved on war. Despair and frenzy succeeded in every breast to dejection and meanness.

Assemblies were called to reverse the sentence of banishment lately pronounced against Hasdrubal, and against the troops under his command. These exiles were entreated to hasten their return for the defence of a city bereft of arms, ships, military and naval stores. The people, in the mean time, with an ardour which reason, and the hopes of success during the prosperity of the republic, could not have inspired, endeavoured to replace the arms and the stores which they had so wretchedly surrendered. They demolished their houses to supply the docks with timber. They opened the temples and other public buildings to accommodate the workmen; and, without distinction of sex, condition, or age, were in haste to be employed, collected materials, furnished provisions, or bore a part in any labour that was thought necessary to put the city in a state of defence. They supplied the founders and the armourers with the brass and iron of their domestic utensils; or, where these metals were deficient,

brought what they could furnish of silver and gold. Together with the other materials which were used in the roperies, they cut off the hair from their heads, to be spun into cordage for the shipping, and into braces for their engines of war.

The Roman Consuls, apprised of what was in agitation, willing to await the returns of reason, and to let these first ebullitions of frenzy subside, for some days made no attempts on the city. But, hearing of Hasdrubal's approach with his army, they thought it necessary to endeavour, before his arrival, to possess themselves of the gates. Having in vain attempted to scale the walls, they were obliged to undergo the labours of a regular siege; and though they made a breach, were repulsed in attempting to force the city by storm.

Hasdrubal had taken post on the creek which separated the peninsula of Carthage from the continent, maintained his communication with the city by water, and supplied the inhabitants with provisions and arms. The Romans, seeing that they could not prevail while Hasdrubal retained his post, endeavoured to dislodge him, but were defeated, and obliged to raise the siege. Having thus spent two years in the enterprise, and having changed their commanders twice, but without any considerable advantage; they began to incur the discredit of having formed against a neighbouring commonwealth an invidious design which they could not accomplish. Enemies in every quarter, in Greece, Macedonia, and Spain, sprang up against them; and even Massinissa, unwilling to see their power in his

neighbourhood substituted for that of Carthage, and jealous of the avidity with which they endeavoured to become masters in Africa, snatching from his hands a prey which he thought himself alone entitled to seize, withdrew his forces, and left them singly to contend with the difficulties in which they were so deeply involved.

But the Romans were only animated by mortifications which are so apt to discourage other nations. They imputed the miscarriage of their troops to the misconduct of their generals; and at the end of two years still clamoured for a better choice. Another Scipio, by birth the son of Emilius Paulus, and by adoption the grandson of Scipio Africanus, having already distinguished himself in Spain and in Africa, and being then arrived from the army to solicit the office of Edile, was thought worthy of the supreme command; but being about ten years under the legal age, it was necessary to dispense with the law in his favour; and this being done, his appointment to the province of Africa, in preference to his colleague, was declared without the usual method of casting lots.

The Carthaginians, though bereft of all their resources; by having merely resumed their spirit, were now reinstated in their consideration or rank among nations, and had treaties of alliance with the neighbouring powers of Mauritania and Numidia, whose aid they solicited with alarming reflections on the boundless ambition, and invidious policy of the Romans. They even conveyed assurances of support to the Achæans, to the pretended Philip, an impos-

tor, who, about this time, laid claim to the throne of Macedonia; and they encouraged with hopes of assistance the subjects of that kingdom, who were at this time in arms to recover the independence of their own country.

The mere change of a commander, and better discipline in the Roman army, however, soon altered the state and prospects of the war. The first object of Scipio was to cut off the communications of the Carthaginians with the country, and to intercept their supply of provisions and other articles necessary to withstand a siege.

Carthage was situate at the bottom of a spacious bay, covered on the west by the promontory of Apollo, on the east by that of Hermes, or Mercury, at the distance of about fifteen leagues from each other. The city stood on a peninsula joined to the main land by an isthmus about three miles in breadth, and covering a bason or harbour, in which their docks and their shipping were secured from storms and hostile attacks. The Byrsa, or citadel, commanded the isthmus, and presented at this only entrance to the town by land, a wall thirty feet thick and sixty feet high. The whole circumference of the place was above twenty miles *.

The besiegers, by their shipping, had access to that side of the town on which the walls were washed by the sea; but were shut out from the harbour by a chain which was stretched across the entrance. Hasdrubal had taken post on the bason over against

* Orosius, lib. iv, c. 22. Liv. Epitome, lib. li.

the town, and by these means still preserved the communication of the city with the country. Scipio, to dislodge him from this post, made a feint at a distant part of the fortifications to scale the walls, actually gained the battlements, and gave an alarm which obliged the Carthaginian general to throw himself into the city. The Roman general, satisfied with having obtained this end, took possession of the post which the other had abandoned; and being now master of the continental side of the harbour, and free to enter the isthmus, he advanced to the walls of the Byrsa. In his camp he covered himself as usual with double lines; one facing the fortifications he was about to attack, consisting of a curtain twelve feet high, with towers at proper intervals, of which one in the centre was high enough to overlook the ramparts, and to afford a view of the enemy's works; the other line secured his rear from surprise on the side of the country; and both effectually guarded the isthmus, and obstructed all access to the town by land.

The besieged, however, still continued to receive a supply of provisions by sea; their victuallers took the benefit of every wind that blew fresh and right into the harbour, to pass through the enemy's fleet, who being too near the rocks, durst not, with such a wind, unmoor to pursue them. Scipio, to cut off this resource, projected a mole from the main land to the point of the peninsula across the entrance of the harbour. He began to throw in his materials on a foundation of ninety feet, with an intention to contract the mound gradually as it rose to twenty-

four feet at the top. The work, when first observed from Carthage, was considered as a vain undertaking; but when it appeared to advance with a sensible progress, gave a serious alarm.

The Carthaginians, to provide against the evils which they began to foresee from this obstruction to the entrance of their shipping, undertook a work more difficult, and more vast than even that of the besiegers, to cut across the peninsula within their walls, and to open a new passage to the sea; and this they had actually accomplished by the time that the other passage was shut. Notwithstanding the late surrender of all their navy and stores, they had at this time, by incredible efforts, assembled or constructed a fleet of sixty galleys. With this force they were ready to appear in the bay, while the Roman ships lay unmanned and unrigged, secure against any danger from an enemy whom they supposed to be shut up by insurmountable bars; and in these circumstances, if they had availed themselves of the surprise with which they might have attacked their enemy, must have done great execution on the Roman fleet. But having spent no less than two days in preparing for action, and in clearing their new passage after it was known to be open, they gave the enemy likewise full time to prepare. On the third they engaged, fought the whole day without gaining any advantage, and, in their retreat at night, suffered greatly from the enemy, who pressed on their rear.

While the besiegers endeavoured to obstruct this new communication with the sea, the besieged made

a desperate attempt on their works by land. A numerous body of men, devoting their lives for the defence of their country, without any arms, and provided only with matches, crossed the harbour, and, exposing themselves to certain death, set fire to the engines and towers of the besiegers; and, while they were surrounded and put to the sword, willingly perished in the execution of their purpose.

In such attempts and varieties of effect the summer elapsed; and Scipio, with the loss of his engines, and a renewal of all the difficulties which he had formerly to encounter at sea, contenting himself with a blockade for some months, discontinued his attacks. But his command being prolonged for another year, he resumed his operations in the spring; and finding the place, in this interval, greatly reduced by despair and famine, he forced his way by one of the docks, where he observed that the battlements were low and unguarded. His arrival in the streets did not put him in possession of the town. The inhabitants, during six days, disputed every house and every passage, and successively set fire to the buildings which they found themselves obliged to abandon. Above fifty thousand persons of different sexes, who had taken refuge in the citadel, at last accepted of quarter, and were led captive from thence in two separate divisions, one of twenty-five thousand women, and another of thirty thousand men.

Nine hundred deserters, who had left the Roman army during the siege, having been refused that quarter which was offered to the natives of Carthage,

took post in a temple which stood on an eminence, with a resolution to die with swords in their hands, and after the greatest possible effusion of blood to their enemies. To these Hasdrubal, followed by his wife and his children, joined himself; but not having the same motive of despair to persist in the purpose of these deserters, he left the temple and accepted of quarter. His wife, in the mean time, with more ferocity or magnanimity than her husband, laid violent hands on her children, and, together with their dead bodies, threw herself into the flame of a burning ruin. The Roman deserters also, impatient of the dreadful expectations which hung over them, in order to abridge the duration of the evils they suffered, set fire to the temple in which they had sought a temporary cover, and perished in the flames.

The city continued to burn during seventeen days; and all this time the Roman soldiers were allowed to seize whatever they could save from the flames, or wrest from the hands of the dying inhabitants, who were still dangerous to those who approached them. Scipio, in beholding this melancholy scene, is said to have repeated from Homer two lines containing a prophecy of the fall of Troy, "To whom "do you now apply this prediction?" said Polybius, who happened to be near him; "To my own coun- "try," he said; "for her, too, I dread in her turn "the reverses of human fate *."

* For the history of the destruction of Carthage, see the authors already cited, p. 222.

Scipio's letter to the Senate is said to have contained no more than these words: "Carthage is "taken. The army awaits your further orders." The tidings were received at Rome with uncommon demonstrations of joy. The victors, recollecting all the passages of their former wars, the alarms which had been given by Hannibal, and the irreconcilable antipathy of the two nations, gave orders to raze the fortifications of Carthage, and even to destroy the materials of which they were constructed.

A commission was granted by the Senate to ten of its members, to take possession of territories which were thus deprived of their sovereign, to model the form of this new province, and to prepare it for the reception of a Roman governor. And thus Carthage, the only instance, if Egypt be excluded from Africa, in which the human genius ever appeared greatly distinguished in that quarter of the globe; the model of magnificence, the repository of wealth, and one of the principal states of the ancient world, was no more. The Romans, in the outset of this transaction, incited by national animosity, and an excess of jealousy, formed a design more cruel towards their rival than at first view it appeared to be, and, in the execution of it, became actors in a scene of horror, which we may suppose to have led them far beyond their original intention. By the milder law and practice of modern nations, we may trust that we are happily exempted from the danger of ever beholding such horrid examples repeated, at least in any part of the western world.

While the event of this mighty siege remained in suspense, the Romans had other wars to maintain on the side of Macedonia and Greece. And here also the natural progress of their policy, suited to the measures which they had taken with other nations, now ended in the open and avowed usurpation of a sovereignty, which they had so long disguised under the specious titles of alliance and protection.

Macedonia being ill fitted to retain the republican form into which it had been cast by the Romans, after some years of distraction, and an attempt at last in favour of a pretended son of the late king, to recover its independence and its monarchy, underwent a second conquest. Of this transaction the following particulars are mentioned. Andriscus, an African of uncertain extraction, being observed to have some resemblance of features to the royal family of Macedonia, had the courage, under the name of Philip, to personate a son of that unfortunate monarch, and to make pretensions to the crown. With this object in view, he went into Syria to solicit the aid of Demetrius, but was, by this prince, taken into custody, and transported in chains to Rome. The Romans paid little regard to so contemptible an enemy, and even allowed him to escape. After this adventure, the same impostor appeared a second time in Macedonia, and, with better fortune than he had in the first attempt, drew to his standard many natives of that country, and of Thrace. In his first encounter he even defeated Juventius the Roman Prætor, and was acknowledged king; but soon after fell a prey to Metellus, and furnished the victors

with an obvious pretence for reducing the kingdom of Macedonia to the ordinary form of a province.

The states of the Achæan league, at the same time, being already on the decline, hastened, by the temerity and distraction of their own councils, the career of their fortunes to the same termination.

The Romans, even while they suffered this famous confederacy to retain the shew of its independence, had treated its members in many particulars as subjects. At the close of the war with Perseus, they had cited to appear at Rome, or taken into custody as criminals of state, many citizens of Achaia, who had, in that contest, appeared to be disaffected to the Roman cause. Of these they had detained about a thousand in different prisons of Italy, until, after a period of seventeen years, about three hundred of them, who survived their confinement, were set at liberty, as having already suffered enough, or as being no longer in condition to give any umbrage to Rome *. Polybius being of this number, acquired, during his stay in Italy, that knowledge of Roman affairs which appears so conspicuous in the remains of his history. When at liberty, he attached himself to Scipio, the son of Emilius, and being well versed in the active scenes which had recently past in his own country, and being entirely occupied with reflections on matters of state and of war, no doubt contributed by his instructions to prepare this young man for the eminent services which he was about to

* Pausanias in Achaicis.

perform, when this last scene of expiring freedom was opened in Greece.

The Romans, while they detained so many of its principal citizens, in a great measure assumed the administration of affairs in Greece, disposed of every distinction, whether of fortune or power, and confined these advantages to the advocates of their own cause, and to the tools of their ambition *. They received appeals from the judgments of the Achæan council, and encouraged its members, contrary to the express conditions of their league, to send separate embassies to Rome. The steps which followed are but imperfectly marked in the fragments of history which relate to this period. It appears that the Spartans, having been forced into the Achæan confederacy, continued refractory in most of its counsels. In consequence of their complaints at Rome, a commission being issued by the Senate as usual, was sent to hear parties on the spot, and to adjust their differences. The Achæan council, incensed at this insult which was offered to their authority, without waiting the arrival of the Roman commissioners, proceeded to enforce their own decrees against the republic of Sparta, marched an army into Laconia, and, at the gates of Lacedemon, overpowered the inhabitants of that city who ventured to oppose their entrance. The Roman deputation arriving after these hostilities had commenced, summoned the parties to assemble at Corinth, and, in name of the Senate, declaring with their usual arti-

* Polyb. Excerpt. Legat. c. 103.

fice, that all the cities which had been rescued from the dominion of Philip, should be left in full possession of their independence and freedom, gave sentence, that Lacedemon, Corinth, Argos, Heraclea, and Orchomenos, not having been original members of the Achæan confederacy, should now be disjoined from it. Thus only weakening an enemy, whilst they pretended a zeal for the freedom of mankind.

Multitudes from all the different states of the league being on this occasion assembled at Corinth, a great riot ensued. The Roman deputies were insulted, and obliged to leave the place; and in this manner commenced a war in which the Romans, contrary to custom, engaged with reluctance, because they had expected to establish their sovereignty in Greece without any convulsion, and because Carthage, being still unsubdued, they had otherwise full employment for their forces in Africa, Spain, and Macedonia. Instead, therefore, of commencing immediate hostilities, they renewed their commission, and named other deputies to terminate the existing disputes; but the states of the Achæan league, imputing the unusual conduct of the Romans in this particular to fear, and to the ill state of their affairs in Africa, while Carthage was likely to repel their attack, thought that they had found an opportunity to exclude for ever from their councils the overbearing influence of this arrogant nation *. They were encouraged with hopes of support from Thebes, Eubœa, and other districts of

* Polyb. Excerpt. Legat. c. 144.

Greece, where the people were averse to the dominion of the Romans; and they therefore assembled an army to assert their common rights, and to enforce their authority over the several members of their own confederacy.

Unfortunately for their cause, Metellus had then prevailed in Macedonia, and was at leisure to turn his forces against them. He accordingly moved towards the Peloponnesus, still giving the Achæans an option to avert the calamities of war, by submitting to the mandates of the Roman Senate. "These "mandates," he said, "were no more than that "they should desist from their pretensions on Spar- "ta, and the other cantons who applied for the pro- "tection of Rome."

But the Achæans thought it safer to resist, than to be disarmed under these stale pretences: they took the field, passed through the isthmus of Corinth, and being joined by the Thebans, marched to Thermopylæ with a view to defend this entry from the side of Macedonia into Greece. In this, however, they were disappointed, being either prevented from seizing the pass, or speedily driven from thence by Metellus. They were afterwards intercepted in their retreat through Phocis, where they lost their leader Critolaus, with a great part of his army *. Diæus, who succeeded him as head of the confederacy, assembling a new force, which consisted of fourteen thousand foot and six thousand horse, took post on the isthmus of Corinth, and

* Orosius, lib. v, c. 3. Pausanias in Achaicis.

sent four thousand men for the defence of Megara, a place which still made a part in the expiring confederacy of independent Greeks.

Metellus, who after his victory had made himself master of Thebes, advanced to Megara, dislodged the Achæans from thence, and continued his march to the isthmus. Here he was superseded by Mummius, the Consul of the present year, who, with the new levies from Rome, made up an army of twenty-three thousand foot and three thousand five hundred horse. The enemy having gained an advantage over his advanced guard, were encouraged to hazard a battle under the walls of Corinth, and were defeated. The greater part fled into the town, but afterwards in the night withdrew from the place. Their general Diæus had retired from the field of battle to Megalopolis, whither he had sent his family; there having killed his wife and children, to prevent their falling into the hands of the enemy, he himself took poison, and died.

Such are the imperfect accounts which remain of the last efforts made by the Greeks to preserve a freedom, in the exercise of which they had acted so distinguished a part among nations. As they never were surpassed by any race of men in the vigour with which they had for some time supported their republican establishments, so, even after these were abolished or decayed, or after the military and political spirit which constitutes the strength and security of states were lost, they appeared to retain their ingenuity and skill in the practice of elegant arts. In this latter period, which preceded their extinc-

tion, as the Achæan league was dissolved on having incurred the resentment of the Romans, so the degenerate remains of the Spartan republic perished in having accepted the protection of that overbearing community. The enmity and the friendship of the Romans being equally fatal, these and every other state or republic of Greece, from this time forward, ceased to be numbered among nations, having fallen a prey to a power, whose force nothing could equal but the ability and the cunning with which it was exerted.

Such, at least, is the comment which we are tempted, by the conduct of the Romans, on the present occasion, to make on that policy, with which, about fifty years before this date, Flamininus, to detach the Grecian cities from Philip, proclaimed, with so much ostentation at the isthmus of Corinth, general independence, and the free exercise of their own laws to all the republics of Greece. That People, when they meant to ingratiate themselves, surpassed every state in generosity to their allies; they gained entire confidence, and taught nations, who were otherwise in condition to maintain their own independence, to rely for protection on that very power, from which they had most to fear for their liberties; and in the end, under some pretence of ingratitude or affront, became the tyrants of those very nations who had most plentifully shared in their bounty.

In this policy there were some appearances of a concerted design, which was at one time liberal and generous beyond example, at another time cruel and

implacable in the opposite extreme, equally calculated to gain or to terrify, in the cases to which either species of policy was suited. It is however probable, that they were led by the changing state of their interests, and followed the conjuncture without any previous concert. In this sort of conduct the passions are wonderfully ready to act in support of the judgment; and we may venture to admit, that the Romans were actually sincere in the profession of *generosity* which they made, and of which the *belief* was so favourable to the advance of their *power*. Although, upon a change of circumstances, *in* which they had no longer equal occasion to manage the temper of their allies, they became impatient of contradiction, and gave way to their resentment on any the slightest provocations, or indulged their ambition without control, when there was no risk of disappointment. Their maxim, to spare the submissive, and to reduce the proud *, whether founded in sentiment or cunning, was equally productive of all the extremes, whether of generosity or arrogance, observed in their conduct; it led them by degrees to assume a superiority in every transaction, and, as their power increased, was in reality the tone of dominion over all other nations.

On the third day after the battle which was fought in the isthmus of Corinth, the victorious army entered the city; and their general, considering that the inhabitants had a principal share in the late insult offered to the Roman Commissioners, determined

* Parcere subjectis, et debellare superbos.

to strike a general terror into all the members of the Achæan league, by the severities he was now to exercise against this people. Mummius, the Roman Consul, though, with the rest of his countrymen of this age, ill qualified to distinguish the elegant workmanship of the Grecian artists *, ordered the statues and pictures, of which great collections had been made at Corinth, to be set apart for his triumph; and, with this reserve, gave the town, abounding in all the accommodations and ornaments of a wealthy metropolis, to be pillaged by the soldiers. And, when this was done, he razed the walls, and reduced the city to ashes.

Thus Corinth and Carthage perished within a year of each other. The fortifications of Thebes, and of some other towns disaffected to the Romans, were at the same time demolished; and the arrangements to be made in the country of Greece were submitted to the discretion of deputies from the Roman Senate. By their order, the Achæan league was dissolved, and all its conventions annulled. The States which had composed it were deprived of their sovereignty, subjected to pay a tribute to Rome, and placed under the government of a person to be annually sent from thence, with the title of the Prætor of Achaia †.

The Romans now, perhaps for the first time, openly appeared in the quality of conquerors. The

* Mummius is said to have delivered them to the masters of ships, with his famous threat, that if any of these curiosities were lost, they should be obliged to replace them.

† Pausanias, lib. vii, c. 16. Polyb. Excerptæ de Virtutibus et Vitiis.

acquisition of revenue from Macedonia, which, about twenty years before this date, had first taught them to exempt themselves from taxation, excited from thenceforward an insatiable thirst of dominion; and their future progress is marked by the detail of wars which they maintained on their frontier, not in defence of their own possessions, but for the enlargement of an empire already too great.

In Spain, where they still met with resistance, they had *hitherto* acted either on the offensive or *defensive*, according as the State was, or was not, *at leisure* from the pressure of other wars, or according as the generals they employed in that country were ambitious or pacific.

On the conclusion of the peace with Philip, the Roman territory in Spain had been divided into two provinces, and accordingly furnished the stations of two separate commanders annually sent from Rome. On the renewal of the war in Macedonia, and during the continuance of it, these provinces were again united under one government. But upon the defeat of Perseus, and the reduction of Macedonia, they were separated, and from thenceforward continued to have their governors apart.

From that time the Romans seem to have extended the same ambitious views to Spain as to other parts on the confines of their empire. They pressed upon the natives, not as before, chiefly to secure their own territory from inroad and depredation, but to gain new accessions of dominion and wealth. They advanced to the Tagus, endeavoured to penetrate beyond the mountains from which that river

derives its source; and in the sequel became involved in struggles of many years' duration, with the Lusitanians, Gallicians, and Celtiberi.

In these wars, the Roman officers being actuated by their avarice as well as ambition, were glad of occasions to quarrel with an enemy, amongst whom the produce of rich mines of silver and of gold were known to abound, and where so precious a harvest was likely to be reaped by those who were employed in the service. The theatre of the war in this country being also less conspicuous, and the conduct of generals less strictly observed than they were in Africa, Asia, or Greece; such as were employed in it took liberties, and ventured upon acts of treachery or breach of faith with the cantons around them, which the Roman Senate seldom avowed, and they also ventured upon acts of extortion and peculation, which gave occasion to the first complaints of this sort that were brought to Rome.

A town having surrendered by capitulation to a Roman Proconsul, of the name of Lucullus, the inhabitants, notwithstanding, in open violation of treaties, were plundered by his order, and put to the sword. A like act of perfidy and cruelty was soon afterwards committed by Galba, commanding in Lusitania, or the western province of Spain. But these examples probably, instead of forwarding, retarded the progress of the Roman arms, and confirmed that obstinate valour with which the natives, assailed by a succession of Roman Generals, Prætors, or Consuls, who were employed to subdue

them, disputed every post in defence of their country. This contest they continued, or at short intervals renewed, with various success, from the first expedition of the Scipios to the last of Augustus, which ended the career of conquest from Rome.

The Lusitanians, at the beginning of the last war with Carthage, incensed by the treachery of Galba, now mentioned, re-assembled in numerous parties under a native of their own country, of the name of Viriathus, who had himself escaped from the massacre on that occasion, and who entertained an implacable resentment to the authors of it. This leader, according to the Roman historians, had been originally a herdsman, afterwards a chief of banditti, and last of all the commander of an army which often defeated the Italian invaders, and threatened their expulsion from Spain. He seems to have known how to employ the impetuous courage or ferocity of a rude people against troops depending on discipline as well as numbers and valour; and to have possessed, what the Spaniards retained even down to the days of Cæsar, the faculty of turning the want of order to account against an enemy so much accustomed to form; as, in a great measure, to rely upon it for success in most of their operations. With him an apparent rout and dispersion of his followers was the ordinary prelude to a violent attack; and he commonly endeavoured, by pretended flights and disorderly movements, to draw his enemy into rash pursuits or precipitant marches, and seized every advantage of this sort which were given to him with irresistible address and valour. He continued, ac-

cordingly, above ten years, to baffle all the attempts which the Romans made to reduce Lusitania. And had projected a league and defensive confederacy with the other free nations of Spain, when he was assassinated, as he lay asleep on the ground, by two of his own followers, supposed to be in concert with the Roman general who was at this time employed against him.

The invaders, upon this event, found the western and northern parts of Spain open to their inroads. And in little more than a year afterwards a Roman army under Brutus passed the Duero *, and penetrated quite to the coast of Gallicia, from which they reported, with more than the embellishments and exaggerations of ordinary travellers, that the sun was seen from this distant region, when he set in the evening, to sink and to be extinguished with a mighty noise in the Western Ocean.

The natives of this country, however, did not think themselves subdued by its being thus overrun. They retired with their cattle and effects into places of strength; and, when required to pay contributions, replied, That their ancestors had left them swords to defend their possessions, but not any gold to redeem them.

Such were the occupations of the Roman arms in the western division of Spain, while they were in the eastern province, under the Elder Cato, the Elder Tiberius Gracchus, and others, in like manner employed to secure what the State had already ac-

* Durius.

quired, or to extend its limits. These officers obtained their respective triumphs, and annexed to the Roman possessions on the coast considerable acquisitions also in the inland parts of the country. Here, however, their progress had been greatly retarded by the obstinate valour of the Numantians and other cantons of the Celtiberi, who had maintained the contest against them during fifty years, and at last had formed a general confederacy of all the interior nations of Spain, to be conducted by the Lusitanian Viriathus, when their measures were broken by the death of that formidable leader.

Numantia was the principal stronghold, or, as we may conceive it, the capital of a small nation. Their lodgment, or township, was contained within a circumference of about three miles, situate among the mountains of Celtiberia, or Old Castile, and at the confluence of the Durius with another river; both of which having steep banks, rendered the place, on two of its sides, of very difficult access; and on the third side, or base of a triangle, it was fortified with a rampart and ditch.

The people could muster no more than eight or ten thousand men; but these were greatly distinguished by their valour, reputed superior in horsemanship to every other nation of Spain, and equal, if not superior to the Romans themselves in the use of the shield and the stabbing-sword, weapons originally copied from Spain. They had already gained many victories over the Roman armies which had been employed to reduce them. They had obliged Pompeius, one of the Roman generals, contrary to

the practice of his country, to accept of a treaty while the advantage of fortune was against him; and they obliged the Consul Mancinus to save his army by a capitulation *. Neither of those treaties indeed were ratified by the Roman Senate. To expiate the breach of the last, the Consul Mancinus, who concluded it, together with Tiberius Gracchus his Quæstor, were ordered to be delivered up into the hands of the enemy, and to suffer in their own persons for the failure of engagements which they could not fulfil. Tiberius Gracchus appealed to the people, was saved by their favour, and from this time is supposed to have received that bias which he followed in the subsequent part of his political conduct. Mancinus acquiesced in the sentence of the Senate, was presented naked and in fetters at the gates of Numantia, as a sacrifice to the resentment of that nation, for the breach of a treaty which the Romans determined not to observe. But this victim was nobly rejected, and the Numantians insisted on the conditions they had stipulated, saying, that a public breach of faith could not be expiated by the sufferings of a private man †.

These transactions passed about ten years after the destruction of Carthage, and the Romans, mortified with the length and ill success of the war with Numantia, had recourse again to the services of Scipio, by birth the son of Emilius, though adopted, as we have mentioned, into the Cornelian family, and from his services in Africa, honoured, as his grand-

* Eutropius, lib. iv, c. 8. † Appian. de Bell. Hispan, p. 302.

father by adoption had been, with the title of Africanus.

They had formerly dispensed, in his favour, with the law that required a certain age as a qualification for the Consulate; and now, in order to employ him a second time, they were obliged to suspend another law, which prohibited the re-election of the same person into that office.

Upon the arrival of Scipio in Spain, it is said that he found the Roman army, discouraged by repeated defeats, withdrawn into fortified stations at a distance from the enemy, detesting the hardships of a military camp, indulging themselves in all the vices of a disorderly town, and subject to panics on the slightest alarm. To an army so corrupted, it is said that the cries, the aspect, the painted visage, and the long hair of the Spaniard were become objects of terror *.

Among the reformations which Scipio made to restore the vigour of the troops, he cleared the camp of its unnecessary followers, amongst whom are mentioned, women, merchants, and fortune-tellers; he restricted the quantity of baggage to be carried into the field, reduced the furniture of the officers' kitchen to the spit and the pan; and the service of his own table to plain food, roasted or boiled. He prohibited the use of bedsteads in camp, and set the example himself of sleeping on a straw mat; likewise restrained the infantry from the use of horses on the march, and obliged them to carry their own baggage.

* Florus.

Though at the head of superior numbers, h[illegible] declined a battle, avoided every route on whic[illegible] enemy were prepared to receive him; and v[illegible] superior address in the management of his res[illegible] and in protracting the war, balked the ardour of a fierce people for splendid efforts of valour: he laid waste the country around them, and by degrees obliged them to retire within their own ramparts, and to consume what was raised or provided within the circuit of their walls.

Scipio had been joined on his march to Numantia by Jugurtha, the grandson of Massinissa, who, on this service, made his first acquaintance with the Romans, and brought a reinforcement of twelve elephants, with a considerable body of horse, of archers and slingers. At the arrival of this auxiliary force, the army amounted to sixty thousand men. But Scipio did not attempt to storm the town; he took a number of posts which he successively fortified, and, by joining them together, completed a double line of circumvallation, equal in strength to the walls which were opposed to him. He had his curtains, his towers, his places of arms corresponding with those of the enemy; and he established an order of service and a set of signals, in case of alarm by day or by night, which resembled more the precautions of an army on its defence, than the operations of a siege. His intention was to reduce the Numantians by famine, an effect of time, during which he might be exposed to surprise from the sudden efforts of indignation or despair in so warlike a people.

Numantia being at the confluence of rivers, on

which small vessels could descend with the stream, or which could, with the favour of proper winds, even remount in the sight of the enemy, the people, for a while, procured some supplies by water, even without the assistance of boats. Numbers of them swimming with great address, and diving at proper places, to avoid being seen, still eluded the vigilance of their enemy, and preserved a communication with the country, until the channels of the rivers also were barred across by timbers, which were made fast to the banks, and armed with sword-blades and spikes of iron.

The besieged were still in hopes of succour from their allies. To obtain it, five aged warriors undertook, each with his son for a second, to pass through the lines of the enemy, and to sue for relief from the neighbouring nations. They succeeded by night in the first part of their attempt, cut down the Roman guard in their way, threw the camp into some confusion, and escaped before the cause of alarm could be known. They proceeded to sue for relief among the nations around. But their cause was become desperate, and too likely to involve in certain ruin any friend who embraced it. Compassion for their sufferings prevailed at Lutia alone, the head of a small canton, forty miles from this scene of distress.

The young men of this place took their resolution in favour of the injured Numantians; but Scipio had notice of their intention in time sufficient to prevent its effect. He hastened to the place, and, having accomplished this march of forty miles in eight hours, surprised the inhabitants, had four hundred

young men delivered up to him, and ordered their right arms to be struck off. By this dreadful act of severity, happily reprobated in modern war, he secured himself from any danger on that quarter, and impressed the other states of that neighbourhood with terror.

The Numantians, in the mean time, pressed with famine, and having no hopes of relief, sent a deputation to try the clemency of their enemy. "What "was once a happy state," they said, "content "with its own possessions, and secure in the valour "of its citizens, is now reduced to suffer, for no "other crime than that of having maintained their "freedom, and of having defended their wives and "their children.

"For you," they continued, addressing themselves to Scipio, "who yourself are said to possess "so many virtues, it would become you to espouse "the cause of this injured nation, and procure to "them terms which they could with honour prefer "to their present distresses. Their expectations "are moderate, for they have felt the reverses of "fortune. It is now in your power either to receive "their submission under any tolerable conditions "you may think proper to prescribe, or to see them "perish in some act of despair, which may prove "fatal to many of their enemies, as well as to themselves."

Scipio replied, That he could not grant them any terms; that they must surrender at discretion.

Upon the return of this answer they resumed their former obstinacy, and held out until they had con-

sumed every article of provision within their walls; endeavoured to turn their shields and other utensils of leather into food, devoured the dead bodies, and even preyed on each other.

The end of this piteous scene is variously reported. By some it is said, that, in the last stage of despair, the Numantians sallied forth to purchase death by the slaughter of their enemies; that, in the execution of this purpose, they for some time exposed themselves with the most frantic rage, till the greater part being slain, a few returned into the town, set fire to the houses, and, with their wives and children, perished in the flames *.

By others it is said, that they agreed to surrender on a certain day, but that when this day came they begged for another, alleging, that many of their people, yet fond of liberty, had determined to die in possession of it, and wished for one day more, that they might the more deliberately execute their purpose. Such was the aversion to surrender at discretion, which the fear of captivity, and that of its ordinary consequences among ancient nations, had inspired. The few of this high-minded people who survived the effects of despair, falling into the enemy's hands, were stripped of their arms. Fifty were preserved, as a specimen of the whole, to adorn the victor's triumph. The remainder were sold for slaves, and the walls of their stronghold were levelled with the ground. The prisoners, even after they had laid down their arms, and submitted to mercy, retained

* Orosius, lib. v, c. 7. Florus, lib. ii, c. 18

the ferocity of their looks, and cast on their victors such glances of indignation and rage, as still kept the animosity of enemies awake, and prevented the returns of pity. As these particulars, with others of the same kind, strongly mark the defects which subsisted in the supposed laws of war among ancient nations, the reader will probably bear with the shock that is given to his feelings of compassion, for the sake of the picture which it is necessary to give of the manners of the times.

If we judge of Numantia from the resistance it made to the Roman arms, it having been one of their most difficult conquests, we must consider it as a state of considerable power. Its reduction gave immediate respite from war in Spain. Scipio and Brutus returned nearly together from their provinces in that country, and had their separate triumphs in the same year.

These operations against Numantia, Carthage, Macedonia, and Greece, were accompanied with a revolt of the slaves in Sicily, and with a number of other wars less considerable, in Illyricum, Thrace, and Gaul. Of these the revolt of the slaves merits the greater attention, on account of the view it gives of the state of the countries now under the immediate jurisdiction of Rome. The island of Sicily having been the first acquisition which the Romans made beyond the limits of Italy, had been for some time in a state of domestic tranquillity, and undisturbed by any invasion from abroad. Its lands were become the property of Roman citizens, who here, as on their estates in Italy, made their plantations,

and cultivated their fields, to supply with corn, wine, and oil, the markets and granaries of Rome. The labour was performed by slaves. These were fettered at their work in the fields, or confined in vaults and fortified workhouses at the several tasks they were employed to perform. As the proprietors of land had many reasons to prefer the labour of slaves to that of freemen, who were distracted by their political engagements, and subject to be called upon or pressed into the military service, the number of slaves continually increased. They were, for the most part, prisoners of war; and some of them being even of high rank, unused to submission, and animated with fierce passions of indignation and scorn, were ready, upon every favourable opportunity, to take arms against their masters, and often to shake the state itself with a storm, which was not foreseen until it actually burst on those who were in its way.

About ten years after the destruction of Carthage, and four years before that of Numantia, this injured class of men had been incited to revolt in Sicily by Eunus, a Syrian slave; who, at first, under pretence of religion, and by the fame of miracles he was supposed to perform, tempted many to break from their bondage; traversed the country, broke open the vaults and prisons in which his fellow-sufferers were confined, and actually assembled a tumultuous force of seventy thousand men. From this beginning, in four successive campaigns, he made a prosperous war on the Prætors of Sicily, and often stormed the entrenchments of the Roman camp.

This leader, however, being ill-qualified to improve his victories, and having no concerted plan for the government or subsistence of his followers, in a country exhausted or ruined by their own devastations, was at length, by the caution and superior conduct of Peperna, or Publius Rutilius, gradually circumscribed in his depredations, defeated, and obliged to take refuge in Enna, a fortified place, where about twenty thousand of his followers being put to the sword, the remainder, as an example to restrain the future insurrection of slaves, were nailed to the cross near the most frequented highways, and in the most conspicuous parts of the island.

While the Roman armies were thus employed in the provinces, or on the frontier of their extensive conquests, Italy itself had long enjoyed a perfect security; the lands were cultivated, and the country stocked with people, whether aliens or citizens, freemen or slaves. From about three hundred thousand *, which, in this period, were the ordinary return of the Census, the citizens soon after augmented to above four hundred thousand †; and Scipio, under whose inspection as Censor this return was made, hearing the crier repeat the prayer which was usual at the closing of the rolls, "That the republic "might increase in the numbers of its people, and "in the extent of its territory;" bid them pray that it might be preserved, for it was already sufficiently great. It is probable that, in the view of this sag-

* Three hundred and twenty thousand.

† Four hundred and twenty-eight thousand three hundred and forty-two

cious observer, the progress of corruption already began to appear in the capital; and this mighty republic, like a tree, which still continued for a century to make vigorous shoots from its branches, already bore some marks of decay in its trunk.

The offices of State, and the government of provinces, to which those who had occupied the former succeeded, began to be coveted from motives of avarice, as well as ambition. Complaints of peculation and extortion, which were received about this time from Spain and Macedonia, pointed out the necessity of restraining such oppressions, and suggested those penal laws, which were so often, and with so little effect, amended and revived.

An action was instituted in favour of the provinces, against governors or their attendants, who should be accused of levying money without the authority of the State; and an ordinary jurisdiction was granted to one of the Prætors, to hear complaints on this subject. The penalty at first was no more than restitution and a pecuniary fine; it was gradually extended to degradation and exile.

No. 604. Lex Culpurnia de Repetundis. Quæstiones perpetuæ.

These reformations are dated in the time of the last war with Carthage, and are ascribed to the motion of Culpurnius Piso, then one of the Tribunes. Before this time all jurisdiction in criminal matters belonged to the Tribunal of the People, and was exercised by themselves in their collective body, or occasionally delegated to a special commission. Few crimes were yet defined by statute, and ordinary courts of justice for the trial of them were not yet established.

In these circumstances criminals of State had an opportunity not only to defend themselves after a prosecution was commenced, but likewise to employ intrigue, or exert their credit with the people, to prevent or evade a trial.

To supply these defects, a list of statutory crimes now began to be made, and an ordinary jurisdiction was established. Besides extortion in the provinces, which had been defined by the law of Culpurnius *, murder, breach of faith, robbery, assault, poisoning, incest, adultery, bribery, false judgment, fraud, perjury, &c. were successively joined to the list; and an ordinary jurisdiction for the trial of such crimes was vested in a tribunal of Senators, over whom the Prætor, with the title of Quæsitor, presided.

The number of Prætors, corresponding to this and other growing exigencies of the State, was now augmented to six; and these officers, though destined, as well as the Consuls, to the command of armies and the government of provinces, began, during the term of their magistracy, to have full occupation in the city. On this account it was not till after the expiration of the year for which they had been elected, that they drew lots for a province. A like policy was soon after adopted in the destination of Consuls, and other officers of State, who, being supposed to have sufficient occupation in Italy and Rome during the year of their appointment, were not deputed to any provincial service till that year was expired.

* Paricidium, vis publica, latrocinium, injuria, veneficium, incestus, adulterium, captæ pecuniæ, corrupti judicii, falsi, perjurium.

With these establishments, calculated to secure the functions of office, the use of the secret ballot was introduced, first in elections, and afterwards in collecting opinions of judges in the courts of justice *; a dangerous form of proceeding in constitutions tending to popular licence, and where justice is more likely to suffer from the unawed passions of the lower people, than from any improper influence of superior rank; and where the authority of the wise, and the sense of public shame, were so much required, as principal supports of government.

An occasion for the commission of new crimes is frequently taken from the precautions which are employed against the old. From the facility with which criminal accusations now began to be received, a new species of crime accordingly arose. Calumny and vexatious prosecutions, commenced by disappointed competitors against persons in public trust, became so frequent as to require the interposition of law. On this account it was enacted, upon the motion of Memmius, that all persons in office, or appointed to command in the provinces, might decline answering a criminal charge until the expiration of their term, or until their return from the service to which they were destined †; and persons of any denomination might have an action of calumny against the author of a false or groundless prosecution. Whoever was convicted of this offence was to be branded in the face with the initials of his crime.

* Lex Gabinia Tabellaria.

† Lex Memmia de reis postulandis. Lex Cassia Tabellaria.

By these establishments the city of Rome, long resembling a mere military station, made some progress in completing the system and application of her civil code. Literary productions, in some of their forms, particularly in the form of dramatic compositions, as hath been already observed, began to be known. The representation of fables was first introduced at Rome, under pretence of religion, and practised as a sacred rite, to avert the plague or other public calamity. The entertainment itself was fondly received by the People, and therefore frequently presented to them by the Ediles, who had the charge of such matters. Literature, however, in some of its less popular forms, was checked, as a source of corruption. In the year of Rome five hundred and ninety-two, that is, about eight years after the reduction of Macedonia, the Roman Senate, upon a report from M. Pomponius, the Prætor, that the city was frequented by philosophers and rhetoricians, resolved that this officer, agreeably to his duty to the republic, should take care to remove all such persons in the manner his own judgment should direct *.

U. C. 592.

In about six years after this date, an embassy having come from Athens, composed of scholars and rhetoricians, who drew the attention of the youth by the display of their talents, an uncommon dispatch was given to their business, that they might not have any pretence for remaining too long in the city.

* A. Gellius, lib. xv, c. 11.

A proposal which was made during this period, to erect a theatre for the accommodation of the spectators at their public shews, was rejected with great indignation, as an attempt to corrupt the manners of the People. The materials which had been collected for this work were publicly sold, and an edict, at the same time, was published, that no one should ever resume this design, or attempt to place any bench or seat for the accommodation of spectators at any theatrical entertainment in the city, or within a mile of its walls *. It was thought an act of effeminacy, it seems, for the Roman People to be seated; and it is undoubtedly wise, in matters of small moment, however innocent, to persist in the prohibition of what is considered as an evil, or, if established severities are to be remitted, it is proper that the opinion of innocence at least should precede the indulgence.

The sumptuary laws already mentioned, respecting entertainments and household expences, were under the name of Didius, the person who proposed the renewal of them, revived †; and, with some alterations, extended to all the Roman citizens dispersed over Italy.

Such was the antidote which the policy of that age provided, in the capital of a great empire, against luxury and the ostentation of wealth, distempers incident to prosperity itself, and not to be cured by partial remedies. The Romans (knowing better how to accomplish the celebrated problem of

* Val. Maxim. lib. ii. c. 4. † Lex Didia.

Themistocles, *in making a small state a great one*, than they knew how to explain the effects of its greatness) commonly imputed the progress of luxury to some particular circumstance, or accidental event. To the spoils of Tarentum, they said, and of Asia *; to the destruction of our principal rivals the Carthaginians; to the mighty show of statues, pictures, and costly furniture, which were brought by Mummius from Corinth, we owe this admiration of finery, and so prevailing a passion for private as well as for public expence.

In this manner they were pleased to account for changes of manners, which were the result of extended empire, of domestic wealth, of exemption from alarms in a city abounding with riches, and to which the revenue of so many provinces, with a rapid and increasing stream, flowed through the channels of private fortune or public treasure †.

---

* Asia primum devicta luxuriam misit in Italiam. Plin. lib. xxxiii, c. 11.

† Liv. lib. xxxix, c. 6. Plin. lib. xxxvii, c. 1.

CHAP. IX.

Extent of the Roman empire.—Political character of its head.—Facility with which it continued to advance.—Change of character, political as well as moral.—Character of the people or commons.—Dangerous humours likely to break out.—Appearance of Tiberius Gracchus.—His project to revive the law of Licinius.—Intercession of the tribune Octavius.—The republic divided.—Disputes in the Comitia.—Deposition of the tribune Octavius.—Commissioners appointed for the division of lands.—Tiberius Gracchus sues to be re-elected tribune.—His death.—Immediate consequences.—Proceedings of Carbo.—Embassy of Scipio.—Foreign affairs.—Violence of the commissioners.—Domestic affairs.

In the manner that has been summarily stated in the preceding Chapters, the Romans completed their political establishment, and, without materially departing from the policy by which they had been preserved in the infancy of their power, made their first and greatest advances to empire. They were become sovereigns of Macedonia, Greece, Italy, part of Africa, Lusitania, and Spain; yet, even in this pitch of greatness, made no distinction between the civil and military departments, nor gave to any citizen an exemption from the public service, however burdensome or severe. They did not despise their enemy, neither in the measures they took, nor in the

exertions they made to resist him: and as the fatal effects which they and all the other nations of the ancient world were accustomed to expect from defeats, were no less than servitude or death, they did not submit to an enemy, in consequence of any event, nor under the pressure of any calamity whatever.

Other nations were elevated with victories, and sunk under defeats; and became insolent or mean with the tide of their fortunes. The Romans alone were moderate in prosperity, and arrogant when their enemies expected to force their submission.

Other nations, when in distress, could weigh their sufferings against the concessions which they were required to make; and, among the evils to which they were exposed, preferred even submission, if that appeared to be the least. The Romans alone spurned the advances of a victorious enemy; were not to be moved by sufferings; and, though they cautiously avoided difficulties that were likely to surpass their strength, did not allow it to be supposed that they were governed by fear in any case whatever. They willingly treated with the vanquished, and were ready to grant the most liberal terms when the concession could not be imputed to weakness or dismay. By such free and unforced concessions, indeed, they established a reputation for generosity, which contributed, no less than their valour, to secure the dominion they acquired.

With the same insinuating titles of protectors or allies, by which they had, in the infant state of their policy, brought all the cantons of Latium to follow

their standard; they continued to take an easy ascendant over nations whom they could not have otherwise subdued. But as they were liberal in their advances to friendship, so, after repeated provocations seemed to justify a different conduct, even towards a friend, they were terrible in their resentments, and, in case of any breach with an ally, they took ample compensation for the favours they had formerly bestowed.

By their famous maxim in war, already mentioned, That *the submissive were to be spared,* and *the proud to be humbled**, it became necessary for them, in every quarrel, to conquer or to perish; and, when these were the alternatives proposed by them, other nations were entitled to consider them as common enemies. No State has a right to make the submission of mankind a necessary condition to its own preservation; nor are many States qualified to support such pretensions. Some part of the political character, however, so eminent in this famous Republic, is necessary to the safety, as well as to the advancement of nations. No free State or Republic is safe under any other government or defence than that of its own citizens. No nation is safe that permits an ally to suffer by having espoused its cause, or that allows itself to be driven, by defeats or misfortunes, into a surrender of any material part of its rights.

The measure of the Roman conquests, in the beginning of the seventh century of Rome, though

* Parcere subjectis et debellare superbos.

great, was yet far from being full; and the People had not hitherto relaxed the industry, nor cooled in the ardour with which prosperous nations advance, but which they frequently remit in the height of their attainments and in the confidence of invincible power.

The forms of the commonwealth still afforded a plentiful nursery of men for both the civil and military departments; and the nation accordingly continued for some time to advance with a rapid and irresistible pace in the career of its conquests. Insomuch, that, at every step to be made in the period which follows, mighty kingdoms were annexed to the empire, with as much or more facility than villages and single fields had been formerly gained.

But the enlargement of their territory, and the success of their arms abroad, became the sources of a ruinous corruption at home. The wealth of the provinces began to flow into the city, and filled the coffers of private citizens, as well as those of the commonwealth. The offices of State and the command of armies were become lucrative as well as honourable, and were coveted on the former account. In the State itself the governing and the governed felt separate interests, and were at variance, from motives of avarice, as well as ambition; and, instead of the parties who formerly strove for distinction, and for the palm of merit in the service of the commonwealth, factions arose, who contended for the greatest share of its spoils, or who sacrificed the public to their party-attachments or feuds.

Two hundred and thirty years had elapsed since the animosities of Patrician and Plebeian were extinguished by the equal participation of public honours. This distinction itself was in a great measure obliterated, and gave way to a new one, which, under the denomination of Nobles and Commons, or illustrious and obscure, without involving any legal disparity of privilege, gave rise to an aristocracy, which was partly hereditary, founded in the repeated succession to honours in the same family; and *partly* personal, founded in the habits of high *station*, and in the advantages of education and wealth, such as never fail to distinguish the conditions of men in every great and prosperous state.

These circumstances conferred a power on the Nobles, which, though less invidious, was not less real than that which had been possessed by the ancient Patricians. The exercise of this power was lodged with the Senate, a body which, though by the emulation of its members too much disposed to war, and ambitious of conquest, was probably never surpassed in magnanimity, ability, or in steadiness of conduct, by any council of State whatever.

The people had submitted to the Senate, as possessed of an authority which was founded in the prevailing opinion of their superior worth; and even the most aspiring of the Commons allowed themselves to be governed by an order of men, amongst whom they themselves, by proper efforts and suitable merit, might hope to ascend. The examples of preferment, and the rise of individuals from the lowest to the highest ranks of the commonwealth, though

for the most part received with some degree of jealousy by those who were already in possession of the higher condition, were nevertheless frequent, and extinguished all appearance of an exclusive pretension to the honours of the State in any order or class of the People.

The Knights, or those of the Equestrian order, being persons possessed of estates or effects of a certain valuation *, formed between the Senate and the People an intermediate rank, which, in consequence of their having a capital, and of their being less engaged than the Senators in affairs of State, became traders, contractors, farmers of the revenue, and in this manner constituted a species of moneyed interest in the city, and in the provinces.

Such, during the latter part of the period of which the events have been already related, was the distribution of rank in this commonwealth. But circumstances which appear to be fixed in the political condition of nations, are often little more than a remove in the shifting of scenes, or a transition from that which a people have been, to what they are about to become. The Nobles began to avail themselves of the high authority and advantages of their station, and to accumulate property as well as honours. The country began to be overspread with their plantations and their slaves. The number of great landed estates, and the multiplication of slaves, kept pace together. This manner of stocking their country possessions was necessary or expedient in the circumstances of this people; for if the Roman

* 400,000 Roman money, or about L. 3000.

citizen, who, even though poor, possessed so much consequence in his military and political capacity, had been willing to become a hireling and a servant, yet it was not the interest of masters to intrust their affairs to persons who were liable to be pressed into the legions, or who were so often called away to the comitia and assemblies of the People.

Persons of ability contended for offices in the State as the road to lucrative appointments; and when they had obtained this end, and had reigned for a while in their province abroad, brought back from their governments a profusion of wealth ill acquired, and the habit of arbitrary and uncontrolled dominion. When disappointed in the pursuit of riches abroad, they became the leaders of dangerous factions at home; or when suddenly possessed of great wealth, they became the agents of corruption to disseminate idleness, and the love of ruinous amusements, in the minds of the People.

The seclusion of the Equestrian order from the attainment of certain political emoluments or rank, and the opportunities they had, by contracts and by farming the revenue, to improve their fortunes in a different way, confirmed them in the habits of trade, and the attention to lucrative considerations.

The city was gradually crowded with a populace, who, tempted with the cheap or gratuitous distribution of corn, by the frequency of public shews, by the consequence they enjoyed as members of the popular assemblies, or perhaps dislodged from the country by the engrossers of land, and by the preference which was given to the labour of slaves over

that of freemen, flocked from the colonies and municipal towns to reside at Rome. There they were corrupted by idleness and indigence, and the very order of citizen itself was continually debased by the frequent accession of emancipated slaves.

The Romans, who were become so jealous of their prerogative as citizens, had no other way of disposing of a slave, who had obtained his freedom, than by placing him on the rolls of the People; and from this quarter accordingly the numbers of the People were chiefly recruited. The emancipated slave took the name of his master, became a client, and a retainer of his family; and at funerals and other solemnities, where the pomp was distinguished by the number of attendants, made a part of the retinue. This class of men accordingly received continual additions, from the vanity or weakness of those who chose to change their slaves into dependent citizens; and numbers who had been conducted to Rome as captives, or who had been purchased in Asia or Greece, at a price proportioned to the pleasurable arts they possessed, became an accession to that turbulent populace, who, in the quality of Roman citizens, tyrannized in their turn over the masters of the world, and wreaked on the conquerors of so many nations the evils which they themselves, by their usurpations, had so freely inflicted on mankind *.

Citizens of this extraction indeed, could not for ages arrive at any places of trust, in which they could, by their personal defects, injure the common-

* Velleius, lib. ii, c. 4.

wealth; but they increased, by their numbers and their vices, the weight of that dreg, which, in great and prosperous cities, ever sinks, by the tendency of vice and misconduct, to the lowest condition. They became a part of that faction, who, being meanly debased, are actuated by envy to their superiors, by mercenary views, or by abject fear; who are ever ready to espouse the cause of any leader against the restraints of public order; disposed to vilify the most respectable ranks of men; and by their own indifference on the subjects of justice or honour, are able to frustrate every principle, beside those of force and terror, that may be employed for the government of mankind.

Although citizens of this description were yet far from being the majority at Rome, yet it is probable that they were in numbers sufficient to contaminate the whole body of the People; and, if enrolled promiscuously in all the tribes, might have had great weight in turning the scale of political councils. This effect, however, was happily prevented by the wise precaution which the Censors had taken to confine all citizens of mean or slavish extraction to four of the Tribes. These were called the Tribes of the City, and formed but a small proportion of the whole *.

Notwithstanding this precaution, we must suppose them to have been very improper members in the

* Liv. lib. ix, c. 46. When this precaution was taken by Fabius Maximus, the Tribes amounted to thirty-one. See the successive additions by which the Tribes were brought up to this number. Liv. lib. vi, c. 5; lib. vii, c. 15; lib. viii, c. 17; lib. ix, c. 20.

participation of government, and by their numbers likely enough to disturb the place of assembly with disorders and tumults.

While the State was advancing to the sovereignty of Italy, and while the territories successively acquired were cleared for the reception of Roman citizens, by the reduction and captivity of the natives, there was an outlet for the redundancy of this growing populace, and its overflowings were accordingly dispersed over the peninsula, from Rhegium to Acquileia, in about seventy colonies. But the country being now completely settled, and the property of its inhabitants established, it was no longer possible in this manner to provide for the indigent citizens; and the practice of settling new colonies, which had been so useful in planting and securing the conquests which were made in Italy, had not yet been extended beyond this country, nor employed as the means of securing any of the provinces lately acquired. Mere colonization, indeed, would have been a proper and inadequate measure for this purpose, and in the time of the republic never was, in any considerable degree, extended beyond the seas. Provinces so remote, and placed under military government, were to be retained in submission by bodies of regular troops. Roman citizens were not inclined to remove their habitations beyond the limits of Italy; and if they had been so inclined, would not have been fit, in the mere capacity of civil corporations and pacific settlements, to carry into execution against the natives, the exactions of a government which they themselves, if now become inhabitants

and proprietors of land in those provinces, would have been equally interested to oppose: for these reasons, although the Roman territory was greatly extended, the resources of the poorer citizens were diminished. And the former discharge for many dangerous humours which arose among the people being in some measure shut up, these humours began to regorge on the State.

While the inferior people at Rome sunk in their characters, or were debased by the circumstances we have mentioned, the superior ranks, by their application to affairs of State, by their education, by the supposed elevation of birth and family distinction, by the superiority of fortune, began to rise in their consideration, in their pretensions, and in their power; and they entertained some degree of contempt for persons, whom the laws still required them to admit as their fellow-citizens and equals. In this disposition of parties so dangerous in a commonwealth, and amidst materials so likely to catch the flame, some sparks were thrown that soon kindled up anew all the civil animosities which seemed to have been so long extinguished.

We have been carried, in the preceding narration, by the series of events, somewhat beyond the date of transactions that come now to be related. While Scipio was employed in the siege of Numantia, and while the Roman officers in Sicily were yet unable to reduce the revolted slaves, Tiberius Gracchus, born of a Plebeian family, but ennobled by the honours of his father, by his descent on the side of his mother from the first Scipio Africanus, and by his

alliance with the second Scipio, who had married his sister, being now Tribune of the People, and possessed of all the accomplishments required in a popular leader, great ardour, resolution, and eloquence, formed a project in itself extremely alarming, and in its consequences dangerous to the very being of the State.

Like other young men of high pretensions at Rome, Tiberius Gracchus had begun his military service at the usual age, had served with reputation under his brother-law, Scipio, at the siege of Carthage, afterwards as Quæstor, under Mancinus in Spain, where the credit of his father, well known in that province, pointed him out to the native only person with whom they would negotiat treaty that ensued. But the disgrace he inc this transaction gave him a distaste to the mil vice, and to foreign affairs. When he was account for the part he had acted, the severi perienced from the Senate, and the prote obtained from the People, filled his breas animosity to the one, and gave him a prepossession in favour of the other *.

Actuated by these dispositions, or by an idea not uncommon to enthusiastic minds, that *the unequal distribution of property, so favourable to the rich, is an injury to the poor;* he now proposed in part to remedy, or to mitigate this supposed evil, by reviving the celebrated law of Licinius, by which Roman citizens had been restrained from accumulating estates

* Cicero de Claris Oratoribus, c. 27.

in land above the measure of five hundred jugera *, or from having more than one hundred of the larger cattle, and five hundred of the less.

In his travels through Italy, he said, it appeared that the property of land was beginning to be engrossed by a few of the nobles, and that the country was entirely occupied by slaves to the exclusion of freemen: that, if proper settlements were not provided to enable the poor to support their families, and to educate their children, the race of Roman citizens would soon be extinct †; and he alleged, that if estates in land were reduced to the measure prescribed by law, the surplus, if properly distributed, would be sufficient to avert this evil.

Being determined, however, as much as possible, to prevent opposition from the nobles, and to reconcile the interest of both parties to his scheme, he proposed to make some abatement in the rigour of the Licinian law, allowing every family, holding five hundred jugera in right of the father, to hold half as much in the right of every unemancipated son; and proposed, that every person who should suffer diminution of his property in consequence of the intended reform, should have compensation made to him; and that the sum necessary for this purpose should be issued from the treasury.

In this manner he set out with an appearance of moderation, acting in concert with some leading men in the State and members of the Senate, such as Appius Claudius, whose daughter he had married, a Se-

* Little more than half as many acres. † Plutarch. in vit. Tib. Grach.

nator of the family of Crassus, who was then at the head of the priesthood, and Mutius Scævola, the Consul.

To complete the intended reformation, and to prevent for the future the unwarrantable accumulation of estates, he proposed from thenceforward to prohibit all purchase and sale, or commerce in land, and to have three commissioners annually named, for the execution and regular observance of this law.

This project, however plausible, it is probable, was extremely unseasonable, and ill suited to the state of the commonwealth. The law of *Licinius* had passed in the year of Rome three hundred and seventy-seven, no more than fourteen years a[redacted] city had been restored from its destruction Gauls, or about two hundred and fifty year[redacted] this date; and though properly suited to a s[redacted] public, and even necessary to preserve a dem[redacted] was, in that condition of the People, receiv[redacted] difficulty, and was soon trespassed upon ever[redacted] person himself on whose suggestion it had b[redacted] ved and obtained. That it was become obsolete, or no longer in force, appeared from the very abuses which were now complained of, and to which its renewal was proposed as a remedy. It was become in a great measure impracticable, and even dangerous in the present state of the people. The distinctions of poor and rich, in States of any considerable extent, are as necessary as labour and good government itself. The poor being destined to labour, the rich, by the advantages of education, independence, and leisure, are qualified for public affairs. And the

empire being now greatly extended, owed its safety and the order of its government to a respectable aristocracy, founded on the distinctions of fortune as well as personal qualities, or the merit of national service. The rich were not, without some violent convulsion, to be stripped of estates which they themselves had acquired by industry, or which, so originally acquired, they had inherited from their ancestors. The poor were not qualified at once to mix with persons of a better education, and inured to a better condition. The project seemed to be as ruinous to government as it was to the security of property, and tended to place the members of the commonwealth, by one rash and precipitate step, in situations in which they were not qualified to act.

For these reasons, as well as from motives of private interest affecting the majority of the nobles, the project of Tiberius was strenuously opposed by the Senate; and from motives of envy, interest, or mistaken zeal for justice, as warmly supported by the opposite party. At the several assemblies of the people which were called to deliberate on this subject, Tiberius, exalting the characters of freemen contrasted with slaves, displayed the copious and pathetic eloquence in which he excelled. All the free inhabitants of Italy were Romans, or nearly allied to this people. He observed how much, being supplanted by the slaves of the rich, they were diminished in their numbers. He inveighed against the practice of employing slaves, a class of men that bring perpetual danger, without any addition of strength to the public, and who are ever ready to

break forth in desperate insurrections, as they had then actually done in Sicily, where they still occupied the Roman arms in a tedious and ruinous war *.

In declaiming on the mortifications and hardships of the indigent citizen, he had recourse to the ordinary topics of indignation or pity. "Every wild "beast," he said, "in this happy land, has a cover "or place of retreat. But many valiant and re- "spectable citizens, who have exposed their lives, "and who have shed their blood in the service of "their country, have not a home to which they "may resort. They wander with their wives and "their children stripped of every possession but [illegible] "of the air and the light. To such men the com- "mon military exhortation, *to fight for the tom[illegible]* "*their fathers, and for the altars of their household* "*gods*, is a mockery and a lie. They have no a[illegible] "tars; they have no monuments. They fight and "they die to augment the estates, and to [illegible] "the luxury of the few who are wealthy, a[illegible] "have engrossed all the riches of the common- "wealth. As citizens of Rome, they are entitled "*the masters of the world*, but possess not a foot of "earth on which they may rest †."

He asked, "whether it were not reasonable to "apply what was public to public uses? whether a "freeman were not preferable to a slave, a brave "man to a coward, and a fellow-citizen to a stran- "ger? He expatiated on the fortune, and stated "the future prospects of the republic. Much," he

* Appian. de Bell. Civ. † Plutarch. in vit. Tib. Gracch.

said, "she possessed, and had yet more to acquire: "that the people, by their decision in the present "question, were to determine, whether they were, "by multiplying their numbers, to strengthen the "community, and put themselves in condition to "conquer what yet remained of the world? or, by "suffering the resources of the whole People to get "into the hands of a few, they were to permit their "numbers to decline, and against nations envious "and jealous of their power, to become unable "even to maintain the ground they already had "gained?

"He exhorted the present proprietors of land, "whom the law of division might affect, not to with-"hold, for the sake of a trifling interest to themselves, "so great an advantage from their country. He "bade them consider whether they would not, by "the secure possession of five hundred jugera, and "of half as much to each of their children, be suffi-"ciently rewarded for the concessions now required "in behalf of the public: he put them in mind that "riches were merely comparative; and that, in "respect to this advantage, under the intended re-"form, they were still to remain in the first rank of "their fellow-citizens *."

By these and similar arguments he endeavoured to obtain the consent of one party, and to inflame the zeal of the other. But when he came to propose, that the law should be read, he found that his opponents had availed themselves of their usual de-

* Appian. de Bell. Civ.

fence; by procuring M. Octavius, another of the Tribunes, to interpose with his negative, and to forbid any farther proceeding in the business. Here, according to the forms of the constitution, this matter should have dropped. The Tribunes were instituted to defend their constituents, to secure their possessions, and to prevent, not to promote innovations. No power in the State could proceed without their consent, express or tacit, and every single Tribune had a negative on the whole. But Tiberius, thus suddenly checked in his career, became the more impetuous or confirmed in his purpose. Having adjourned the assembly to another day, he prepared a motion more violent than the former, in which he erased all the clauses by which he had endeavoured to soften the hardships likely to fall on the rich. He proposed, that, without expecting compensation, they should content themselves with the proposed measure of land, and absolutely resume the surplus of their possessions, as having been obtained by fraud or injustice.

In this time of suspense, the controversy began to divide the colonies and free cities of Italy, and was warmly agitated wherever the citizens had extended their property. The rich and the poor took opposite sides. They collected their arguments, and they mustered their strength. The first had recourse to the topics which are commonly employed on the side of prescription, urging that, in some cases, they had possessed their estates from time immemorial; and that the lands they possessed were become valuable, only in consequence of the indus-

try and labour which they themselves had employed to improve them: that, in other cases, they had actually bought their estates: that the public faith, under which they were suffered to purchase, was now engaged to protect and secure their possession: that, in reliance on this faith, they had erected, on these lands, the sepulchres of their fathers; they had pledged them for the dowries of their wives, and the portions of their children, or had given them in mortgage as security for the debts they had contracted: that a law regulating or limiting the farther increase or accumulation of property might be suffered; but that an act, having a retrospect, and operating in violation of the rights, and to the ruin of so many families, was no less unjust, than impracticable in the execution.

The poor, on the contrary, pleaded their own indigence and their merits; urged that they were no longer in a capacity to fill the station of Roman citizens or of freemen, nor in a condition to settle families or to rear children, the future hopes of the commonwealth: that no private person could plead immemorial possession of lands which had been acquired for the public. They enumerated the wars which they themselves, or their ancestors, had maintained in the conquest of those lands. They concluded, that every citizen was entitled to his share of the public conquests; and that the arguments which were urged to support the possessions of the rich, only tended to shew how presumptuous and insolent such usurpations, if suffered to remain, were likely to become.

This mode of reasoning appears plausible; but it is dangerous to adopt by halves even reason itself. If it were reasonable that every Roman citizen should have an equal share of the conquered lands, it was still more reasonable, that the original proprietors, from whom those lands had been unjustly taken, should have them restored. If, in this, the maxims of reason and justice had been observed, Rome would have still been a small community, and might have acted with safety on the principles of equality, which are suited to a small republic. But the Romans, becoming sovereigns of a great and extensive territory, must adopt the disparities, and submit to the subordinations, which mankind in such situations universally have found natural, and even necessary, to their government.

Multitudes of people from all parts of Italy, [illegible] earnestly desirous to have the law enacted, or [illegible] to have it rejected, crowded to Rome to attend [illegible] decision of the question; and Gracchus, without dropping his intention, as usual, upon the negative of his colleague, only bethought himself how he might surmount, or remove this obstruction.

Having hitherto lived in personal intimacy with Octavius, he tried to gain him in private; and having failed in this attempt, he entered into expostulations with him, in presence of the public assembly; desired to know, whether he apprehended that his own estate would be impaired in consequence of the intended law; for if so, he offered to indemnify him fully in whatever he might suffer by the execution of it: and being still unable to shake the reso-

lution of this Tribune, who was supported by the countenance of the Senate and the higher ranks of men in the State, he determined to try what the negative force of the whole order of Tribunes could do to compel a compliance with their wishes; he accordingly laid the State itself under a general interdict, sealed up the doors of the Treasury, suspended proceedings in the courts of the Prætors, and put a stop to all the other functions of office in the city.

All the nobility and superior class of the People went into mourning. Tiberius, in his turn, endeavoured to alarm the passions of his party; and believing, or pretending to believe, that he himself was in danger of being assassinated, had a number of persons with arms to defend his person.

While the city was in this state of suspense and confusion, the Tribes were again assembled, and Tiberius, in defiance of the negative of his colleague, was proceeding to call the votes, when many of the People, alarmed by this intended violation of the sacred law, pressed in great numbers before the Tribe that was moving to ballot, and seized the urns. A great tumult was likely to arise. The popular party, being most numerous, were crowding around their leader, when two Senators, Manlius and Fulvius, both of consular dignity, fell at his feet, embraced his knees, and beseeched him not to proceed. Awed by the respect which was due to persons of this rank, as with the sense of some impending calamity, he asked, What they would have him to do? "The case," they said, "is too arduous

" for us to decide; refer it to the Senate, and await " their decree."

Proceedings were accordingly suspended until the Senate had met, and declared a resolution not to confirm the law. Gracchus resumed the subject with the People, being determined either to remove, or to slight the negative of his colleague. He proposed, that either the refractory Tribune, or himself, should be immediately stript of his dignity. And that he might not appear to anticipate the decision, desired that Octavius should put the question first, Whether Tiberius Gracchus should be degraded? This being declined by the opposite party as irregular and vain, he declared his intention to move the assembly, on the following day, That Octavius should be divested of the character of Tribune.

Hitherto all parties had proceeded agreeably to the laws and constitution of the commonwealth; but this motion, to degrade a Tribune, by whatever authority, was equally subversive of both. The person and dignity of a Tribune, in order that no force might interrupt him in the cause of the People, whether offered by any private person, by the public magistrate, or even by the people themselves, was guarded by the most sacred vows. His person, therefore, during the term assigned to his office, was inviolable; and so long his functions were irresistible, or without his own consent could not be suspended by any power whatever.

The assembly being met, in consequence of the alarming adjournment of the preceding day, Tiberius, still willing to respect the sacred law, renewed

his prayer to Octavius to withdraw his negative; but not prevailing in this request, the Tribes were directed to proceed. The votes of seventeen were already given o *degrade*. In taking those of the eighteenth, which would have made a majority, the Tribunes made a pause, while Tiberius again addressed his colleague, embraced him, and, with a voice to be heard by the multitude of the People, beseeched him to spare himself the indignity, and others the regret, of so severe, though necessary, a measure. Octavius shook; but encouraged by the presence of so many Senators, who were ready to support him, recovered his resolution, and bid Tiberius proceed as he thought proper. The votes of the majority were accordingly declared, and Octavius, reduced to a private station, was dragged from the Tribunes' bench, and exposed to the rage of the ace. Attempts were made on his life, and a l slave, who placed himself in the way to defend his master, was dangerously wounded; but a number of the more respectable citizens interposed, and Tiberius himself was active in favouring his escape.

This obstacle being removed, the act so long depending, for making a more equal division of lands, was passed; and three commissioners, Tiberius Gracchus, Appius Claudius, his father-in-law, and his brother, Caius Gracchus, then a youth serving under Publius Scipio at the siege of Numantia, were named to carry the law into execution.

Lex Sempronia.

This act, as it concerned the interest of almost every inhabitant of Italy, immediately raised a great ferment in every part of the country. Persons holding considerable estates in land were alarmed for their property. The poor were elated with the hopes of becoming suddenly rich. If there were a middling class not to be greatly affected in their own situation, they still must have dreaded the effects of a contest between such parties. The Senate endeavoured to delay the execution of the law, withheld the usual aids and appointments given to commissioners of the People in the ordinary administration of public trusts, and waited for a fit opportunity to suppress entirely this hazardous project. Parties looked on each other with a gloomy and suspicious silence. A person, who had been active in procuring the Agrarian law, having died in this juncture, his death was alleged to be the e poison administered by the opposite party. bers of the people, to countenance this invidious report, went into mourning; even Gracchus, affecting to believe a like design to be forming against himself, appeared, with his children and their mother, as suppliants in the streets, and implored the protection of the People. Still more to interest their passions in his safety, he published a list of the acts which he then had in view, all tending to gratify the populace, or to mortify the Senate. Attalus, king of Pergamus, having, about this time, bequeathed his dominions and his treasure to the Romans, Gracchus procured an act to transfer the administration of this inheritance from the Senate to the

popular assembly; and to distribute the money found in the treasury of Pergamus to the poorer citizens, the better to enable them to cultivate and to stock the lands with which they were soon to be invested. He obtained another act to circumscribe the power of the Senate, by joining the Equestrian order with the Senators in the nomination to juries, or in forming the occasional tribunals of justice.

These, with the preceding attempts to abolish or to weaken the aristocratical part of the government, were justly alarming to every person who was anxious for the preservation of the State. As the policy of this tribune tended to substitute popular tumult for sober councils and a regular magistracy, it gave an immediate prospect of anarchy, which threatened to end in some violent usurpation. The sacred character which he had recently violated, served, on occasion, to check the caprice of the People themselves, as well as to restrain the abuse of executive government. And the power which the people had now assumed, was likely to render the office entirely unfit for the first of these purposes, or tended rather to make the Tribune an instrument for hastening the effect of popular violence, instead of a drag-chain to the wheels of government, as was intended, to impede ill-advised or impetuous measures of any sort. Tiberius heard himself arraigned in the streets, and in every public assembly, for the violation of the sacred law. "If any of your colleagues," said Titus Annius, (whom he prosecuted for a speech in the Senate), "should interpose his negative in "my behalf, would you have him also degraded?"

The People in general began to be sensible of the enormity they themselves had committed, and Tiberius found himself under a necessity of pleading for the measure he had taken, after it had been carried into execution. The person of a Tribune, he observed, was sacred, because it was consecrated in right of the People, whom the Tribunes represented; but if this officer, inconsistent with his character, should injure where he was appointed to protect, should weaken a claim he was appointed to enforce, and withhold from his constituents that power of decision which he was appointed to guard, the person so offending, not the People, was to blame for the consequences.

"Other crimes," he said, "may be enormous, "yet may not destroy the essence of the Tribuni- "tian character. An attempt to demolish the Capi- "tol, or to burn the fleets of the republic, might ex- "cite an universal and just indignation, without "rendering less sacred the person of a Tribune in- "volved in such guilt. But an attempt to subvert "the very authority from which his own is derived, "and to frustrate a power which is vested in him "merely for its better exertion, is a voluntary and "criminal abdication of his trust. What is the Tri- "bune but an officer of the people? Strange! that "this officer may, by virtue of authority derived "from the People, drag even the Consul himself to "prison, and yet that the People themselves cannot "withdraw their trust, when the person who bears "it is about to annul the very authority by which "he himself is appointed.

"Was ever any function more sacred than that of king? It involved in itself the prerogatives of every magistrate, and was likewise consecrated by holding the priesthood of the immortal gods. Yet did not our ancestors expel Tarquin? and thus, for the offence of one man, abolish that primitive form, under the auspices of which the foundations of this city were laid.

"What more sacred at Rome than the persons of the Vestal Virgins, who have the custody of the holy fire? Yet are they not for slight offences sometimes buried alive? Impiety to the gods being supposed to cancel a title which reverence to the gods had conferred, must not injuries to the People suppress an authority which a regard to the People has constituted?

"That person must fall, who himself removes the base on which he is supported. A majority of the Tribes may consecrate a Tribune; Cannot the whole degrade? What more sacred than the things which are dedicated at the shrines of the immortal gods? Yet these the people may employ or remove at pleasure. Why not transfer the Tribunate, as a consecrated title, from one person to another? May not an august assembly of the People, by their sovereign authority, do what every person in this sacred office is permitted to do for himself, when he resigns or abdicates his power by a simple expression of his will?"

These specious arguments tended to introduce the plea of necessity where there was no foundation for it, and to set the sovereign power, in every spe-

cies of government, loose from the rules which itself had enacted. Such arguments accordingly had no effect where the interest of the parties did not concur to enforce them. Tiberius felt his credit begin to decline. He was publicly menaced with impeachment, and had given sufficient provocation to make him apprehend, that, upon the expiration of his office, some violence might be offered to his person *. It was guarded only by the sacred character of Tribune which he bore. The first step he should make in the new character he was to assume, as commissioner for the division of lands, was likely to end his life. He therefore resolved, if possible, to take shelter in the Tribunate for another year, and, in order to procure this favour from the People, gave farther expectations of popular acts; of one to shorten the term of military service, and of another to grant an appeal to the People from the courts of justice lately established.

The Senate, and every citizen who professed a regard to the forms of State, were alarmed. This attempt, they said, to perpetuate the Tribunitian character in the same person, tends directly to establish an arbitrary power. With a person inviolable, and a lawless multitude to support him, an usurper will have no bar to restrain him, and no danger to fear; and his retainers, together with the property of our lands, to which they already aspire, will make themselves masters of the State. The leader in this dangerous train of measures, it seems, like every other

* Orosius, lib. v. c. 8.

tyrant, already conceives that his safety depends upon the continuance of his power.

In this feverish state of suspense and anxiety, great efforts of faction were made. The time of electing the Tribunes was fast approaching; but Roman citizens, dispersed on their lands throughout Italy, being engaged in the harvest, could not repair to the city. On the day of election the assembly was ill attended, especially by those who were likely to favour Tiberius. As he was rejected by the first Tribes that moved to the ballot, his friends endeavoured to amuse the assembly with forms, and to protract the debates, till observing that the field did not fill, nor the appearance change for the better, they moved to adjourn to the following day.

In this recess Tiberius went into mourning, appeared in the streets with his children, and, in behalf of hapless infants, who might already be considered as orphans, on the eve of losing their parent in the cause of freedom, implored the public protection; gave out that the party of the rich, to deprive the People of their choice, had determined to force their way into his house in the night, and to murder him. Numbers were deeply affected by these representations: a multitude crowded to his doors, and watched all night in the streets.

On the return of morning, and the approach of the assembly, the declining appearance of his affairs suggested presages; and the superstition of the times has furnished history with the omens, by which himself and his friends were greatly dismayed. He, nevertheless, with a crowd of his partisans, took his way

to the Capitol, where the Tribes had been appointed to assemble. His attendants multiplied as he passed, and numbers from the assembly descended the steps to receive him. Upon his entry a shout was raised, and his party appeared sufficiently strong, if not to prevail in their choice, perhaps by their violence to deter every citizen of a different mind from attending the election.

A chosen body took post round the person of the candidate, with intention to suffer no stranger to approach him; and a signal was agreed upon, in case it were necessary to employ force. Meantime, the Senators, on their part, were hastily convened in the Temple of Faith, and in anxious deliberation on the measures to be followed.

When the first tribe were delivering their votes, a confusion arose in the crowd. Numbers from the more distant parts of the assembly began to press forward to the centre. Among others, Fulvius Flaccus, a Senator yet attached to Tiberius, being at too great a distance to be heard, beckoned with his hand that he would speak with the Tribunes. Having made his way through the multitude, he informed Tiberius, that a resolution was taken in the Senate to resist him by force; and that a party of Senators, with their clients and slaves, was arming against his life. All who were near enough to hear this information, took the alarm, snatched the staves from the officers who attended the assembly, and tucked up their robes as for immediate violence. These movements being perceived from a distance, many called out to know the cause, but no distinct account could

be heard. Tiberius, having in vain attempted to speak, made a sign, by waving his hand round his head, that his life was in danger. This sign, together with the hostile and menacing appearances that gave rise to it, being instantly reported in the Senate, and interpreted as a suggestion made to the People, that their favourite leader should be crowned, or that he should assume the sovereignty, the Senate immediately resolved, in a form that was usual on alarming occasions, that the Consul should provide for the safety of the State. This resolution was supposed to confer a discretionary power, and was adopted only when summary proceedings and immediate execution were deemed to be necessary, and when there was not time for the formalities observed in naming a Dictator. The Consul Mucius Scævola had been in concert with Tiberius in drawing up the first frame of his law; and although he had now prboably left him in the extremes to which he proceeded, yet, on receiving this charge, declined to employ force against a Tribune of the People, or to disturb the Tribes in the midst of their legal assembly. "If they shall come," he said, "to any violent "or illegal determination, I will employ the whole "force of my authority to prevent its effects."

In this expression of the Consul there did not appear to the audience a proper disposition for the present occasion. The laws were violated: A desperate party was prepared for any extremes: All sober citizens, and even many of the Tribunes, had fled from the tumult: The Majesty of Rome was insulted even in the Capitol, and the priests of Jupiter

had shut the gates of the temple: The laws, it was said, ought to govern; but the laws cannot be pleaded by those who have set them aside; and they are no longer of any avail, unless they are restored by some exertion of vigour, fit to counteract the violence that has been offered to them. "The Con-" sul," said Scipio Nasica, "deserts the republic; " let those who wish to preserve it, follow me." At these words, the Senators arose, and moving in a body, which, by the concourse of their clients, increased as they went, seizing the shafts of the fasces, or tearing up the benches in their way, with their robes wound up, in place of shields, on their left arm, they broke into the midst of the assembly of the People.

Tiberius, though surrounded by numbers, found his party unable to resist the awe with which they were struck by the approach of the Senate, and in presence of all that was noble or revered in the commonwealth. The few who resisted were beat to the ground. He himself, while he fled, being seized by the robe, let it slip from his shoulders and continued his flight; but stumbling in the crowd, while he attempted to recover himself, was slain with repeated blows. His body, as being that of a tyrant, together with the killed of his party, amounting to about three hundred, considered as accomplices in a treasonable design against the republic, were denied the honours of burial, and thrown into the river. Some of the most active of his partisans that escaped, were afterwards cited to appear, and were outlawed, or in absence condemned.

Thus, in the heats of this unhappy dispute, both the Senate and the People had been carried to acts of violence that insulted the laws and constitution of their country. This constitution was by no means too strict or formal to contend with such evils; for, besides admitting a general latitude of conduct scarcely known under any other political establishment, it had provided expedients for great and dangerous occasions, which were sufficient to extricate the commonwealth from greater extremities than those to which it had been reduced in the course of this unfortunate contest.

The Popular Faction on their part had greatly erred; for the People, when restrained from their object by the negative of one of their own Tribunes, had only to wait for the expiration of his office, when, by a new election, they might so model the college as to be secure of its unanimous consent in the particular measures to which they were then inclined. The precipitant violation of the sacred law, a precedent which, if followed, must have rendered the Tribunes mere instruments of popular violence, not safeguards from oppression, filled the minds of many in their own party with remorse and horror, and gave to the Senate and Nobles a dreadful apprehension of what they were to expect from a multitude capable of such a profane and violent extreme. The policy of Tiberius, at the head of this multitude, the laws he had obtained, his own re-election to secure the execution, and the sequel of his plan, seemed to threaten the republic with distraction and anarchy, likely to end in his own usurpation, or in

that of some more artful demagogue. But even under these gloomy expectations, the Senate, on the other hand, by naming a Dictator, or by the commission which they actually gave to the Consul, could have had recourse to a legal preventive, and might have repelled the impending evil by measures equally decisive and powerful, though more legal than those they employed. But the Consul, it seems, was suspected of connivance with the opposite party, had moved indignation proportioned to the coldness with which he received his own commission, and could not be intrusted with the choice of a Dictator, even if the occasion could have admitted of the delay necessary for that purpose.

In these extremities, the violent resolution that was taken by the Senate to them appeared to be necessary; and probably for the present saved the republic; preserved it indeed, not in a sound, but in a sickly state, and in a fever, which, with some intermissions, at every return of similar disorders, threatened it with the dissolution and ruin of its whole constitution.

The disorders that arise in free States which are beginning to corrupt, generally furnish very difficult questions in the casuistry of political law. Even the struggles of virtuous citizens, because they do not entirely prevent, are sometimes supposed to hasten, the ruin of their country. So the violence of the Senate, on this occasion, by which they pleaded that the State was preserved, was by many considered with aversion and horror. The subversion of go-

vernment, that was likely to have followed the policy of Gracchus, because it did not take place, was overlooked; and the restitution of order, effected by the Senate, appeared to be a tyranny established in blood. The Senators themselves were struck with some degree of remorse, and, what is dangerous in politics, took a middle course between the extremes. They were cautious not to inflame animosities, by any immoderate use of their late victory. They even wished to atone for the violence done to the author of the Agrarian Law, by seeming to acquiesce in the execution of it. They permitted Fulvius Flaccus and Papirius Carbo, two of the most daring leaders of the popular faction, to be elected commissioners for that purpose, in the room of Tiberius and Appius Claudius, of whom the latter also died about this time; and, in order to stifle animosities and resentments, consented that, under pretence of an embassy to Pergamus, Scipio Nasica should be removed from Rome. In consequence of this commission, this illustrious citizen, the lineal descendant of one of the Scipios who perished in Spain in the time of the second Punic war, himself an ornament to the republic, died in a species of exile, though under an honourable title.

In the midst of such agitations, foreign affairs were likely to be much overlooked. They proceeded, however, under the conduct of the officers to whom they were intrusted, with the usual success; and the Senate, having the reports made nearly about the same time, of the pacification of Lusitania, the destruction of Numantia, and the reduction and

punishment of the slaves in Sicily, named commissioners to act in conjunction with the generals commanding in those several services, in order to settle their provinces.

Brutus and Scipio had their respective triumphs; one with the title of Galaicus, for having reduced the Gallicians; the other, still preferring his former title of a second Africanus to that of Numantinus, which was offered to him for the sack of Numantia.

The arrival of this respectable citizen was anxiously looked for by all parties, more to know what judgment he might pass on the late operations at Rome, than on account of the triumph he obtained over enemies once formidable to his country. He was the near relation of Gracchus, and might, under pretence of revenging the death of that demagogue, have put himself at the head of a formidable party. He was himself personally respected aud beloved by numbers of the citizens, who had carried arms under his command, who were recently arrived in Italy crowned with victory, and who might possibly, under pretence of vindicating the rights of the People, employ their arms against the republic itself. But the time of such criminal views on the commonwealth was not yet arrived. Scipio already, upon hearing the fate of Gracchus, had expressed, in some words that escaped him, his approbation of the Senate's conduct. "So perish every person," he said, "who shall dare to commit such crimes*." Soon after his arrival from Spain, Papirius Carbo, one of

* Plutarch in vit. Tiberii Gracchi.

the Tribunes, called upon him aloud, in the assembly of the People, to declare what he thought of the death of Gracchus. "I must think," he said, "that "if Gracchus meant to overturn the government of "his country, his death was fully merited." This declaration many of the multitude interrupted with murmurs of aversion and rage. Upon which Scipio, raising his tone, expressed the contempt with which he thought himself entitled to treat this turbulent faction. "I have been accustomed," he said, "to the shout of warlike enemies, and cannot "be affected by your dastardly cries." Then alluding to the number of enfranchised slaves that were enrolled with the Tribes of the city, upon a second cry of displeasure, he continued, "Peace ye "aliens and step-children of Italy *. You are now "free, but many of you I have brought to this place "in fetters, and sold at the halbert for slaves." Some were abashed by the truth, and all by the boldness of this contemptuous reproach, and shewed that popular tumults, though vested with a share in the sovereignty of their country, may sometimes be braved, as well as courted with success.

The part which Scipio took on this occasion was the more remarkable, that he himself was to be reckoned among the poorer citizens, and might have been a gainer by the rigorous execution of the Licinian law. His whole inheritance, according to Pliny, amounted to thirty-two pounds weight, or three hundred and twenty ounces of silver, which

* Velleius Paterculus, lib. ii, c. 4.

might be valued at about two hundred and eighty pounds of our money.

Papirius Carbo, now at the head of the popular faction, spent the year of his Tribunate in fomenting the animosities against the Senate, and in promoting dangerous innovations. He obtained a law by which the votes of the People, in questions of legislation as well as election *, and the opinions of the judges in determining causes, were to be taken by secret ballot. But was less successful in the motion he made for a law to enable the same person to be repeatedly chosen into the office of Tribune. In this motion he was supported by Caius Gracchus; opposed by Scipio, Lælius, and the whole authority of the Senate †, who dreaded the perpetuating in any one person a power, which the sacredness of the character, and the attachment of the populace, rendered almost sovereign and irresistible.

Lex Papiria Tabellaria Tertia.

While the influence of party was exerted in such questions at home, the State was laying the foundation of new quarrels abroad, and opening a scene of depredation and conquest in what was then the wealthiest part of the known world. Soon after the death of Attalus, king of Pergamus, who had bequeathed his kingdom to the Romans, Aristonicus, the natural brother of that Prince, being the illegitimate son of Eumenes, made pretensions to the throne of Pergamus, and was supported by a powerful party among the people. But the Romans did

* Cic. de Legibus, lib. iii.

† Cic. de Amicitia.

not fail to maintain their own right: Crassus, one of the Consuls of the preceding year, had been sent with an army into Asia for this purpose, but in his first encounter with Aristonicus was defeated and taken. He was afterwards killed while a captive in the hands of the enemy; having intentionally provoked one of his guards to lay violent hands on him, and thus ended a life which he thought was dishonoured by his preceding defeat.

U. C. 622.

The following year, the Consul Peperna being sent on this service, and having, with better fortune than Crassus, defeated and taken Aristonicus, got possession of the treasure and kingdom of Attalus, but died in his command at Pergamus. From this time the Romans took a more particular concern than formerly in the affairs of Asia. They employed Scipio Æmilianus, with Sp. Mummius, and L. Metellus, on a commission of observation to that country. The equipage of Scipio upon this occasion is said to have consisted of seven slaves, who, for aught we are told, attended him on foot; and, this, as a mark or characteristic of the times, is perhaps more interesting than any other circumstance or result of the embassy. The object of the commission appears to have related to Egypt as well as to Asia *, though there was not any power in either that seemed to be in a condition to alarm the Romans. Ptolemy Euergetes had succeeded to the throne of Egypt, but was expelled by the people of Alexandria. Antiochus, king of Syria, had been re-

* Valerius Maximus, lib. iv, c. iii.

cently engaged in a very unsuccessful war with the Parthians; and if the king of Pontus were more considerable, it had not yet appeared how far it concerned the republic to observe the motions of that Prince, or to deliberate on the measures to be taken against him for the security of their possessions in Asia.

In whatever degree the Roman embassy found objects worthy of attention in that part of the world, matters were hastening in Italy to a state of great distraction and ferment, on account of the violence with which the Agrarian law was enforced by Papirius Carbo, Fulvius Flaccus, and Caius Gracchus, the commissioners appointed to have it carried into execution. As the law authorised them to call upon all persons possessed of public lands to evacuate them, and submit to a legal division; they, under this pretence, brought in question all the rights of property throughout Italy, took from one and gave to another as suited their pleasure; some suffered the diminution of their estates with silent rage; others complained that they were violently removed from lands which they had cultivated, to barren and inhospitable situations: even they who were supposed to be favoured in the distribution of lots, complained of those they received. Many were aggrieved, none were satisfied.

Scipio, induced by the representations which were made of these abuses, at his return from Asia made an harangue in the Senate, by which he drew upon himself an invective from Fulvius, one of the commissioners. He did not propose to repeal the law,

but moved that the execution of it should be taken out of the hands of so pernicious a faction, and committed to the Consul Sempronius Tuditanus, who remained in the administration of affairs in Italy, while his colleague Aquilius had gone to Asia to finish the transaction in the conduct of which Peperna died.

It is mentioned that Scipio, in his speech, complained of threats and insults which had been offered to himself; and this gave occasion to a procession, in which the Senate, followed by a great body of citizens, to testify their abhorrence of such indignities to a person so much respected, attended him from this meeting to his own house. Next morning he was found dead in his bed *; but notwithstanding the suspicions of violence transmitted by different authors, nothing certain appears upon record; and no inquest was ever made to discover the ground of surmises on this subject. This illustrious citizen, notwithstanding his services, had incurred so much the displeasure of the people, that he had not the honours of a public funeral. If he had not died at this critical time, the Senate, it was supposed, meant to have named him Dictator, for the purpose of purging the State of the evils with which it was so much distracted.

U. C. 624.

The occasion, however, was not sufficient to make the Senate, when deprived of this leader, to persist in their intention to name a Dictator; nor is there

* Cic. de Amicitia.

any thing material recorded as having happened during a few of the following years. Quintus Cæcilius Metellus Macedonicus, and Quintus Pompeius, were Censors; both of Plebeian extraction; of which this is recorded as the first example. Metellus, at the Census, made a memorable speech, in which he recommended marriage, for the establishment of families, and the rearing of children. This speech being preserved, will recur to our notice again, when read by Augustus in public, as a lesson equally applicable to the times in which the reins of empire were held by himself.

In this period, the males fit to bear arms, as appeared at their enrolment, amounted to three hundred and seventeen thousand eight hundred and twenty-three. But what is most memorable in the conduct of this muster, was the disgrace of Caius Attinius Labeo, who, being struck off the rolls of the Senate by Metellus, afterwards became Tribune of the People; and, by the difficulty with which the effect of his unjust revenge came to be prevented, evinced the danger of making the will of any officer sacred, in order by his means to restrain the commission of wrongs.

Metellus, who from this transaction remained an object of revenge to Labeo, in returning from the country, about noon, while the market-place was ill-attended or thin, found himself suddenly apprehended by this vindictive person, now become Tribune of the People, and ordered to be immediately thrown from the Tarpeian Rock. Multitudes soon assembled around him, were sensible how much the Tri-

bune abused the sacred trust of his office; and many voices were heard from the crowd, accosting Metellus by the name of Father, and lamenting his fate: but, unless another Tribune could be found to interpose in his behalf, there was no other power in the commonwealth that could, without supposed profanation, interrupt him in the commission of so great a crime. Metellus struggled to obtain a delay, was overpowered and dragged through the streets, while the violence he suffered made the blood to spring from his nostrils. And although the interposition of another Tribune was procured in time to save his life; yet Attinius having, with a lighted fire and other forms of consecration, devoted his estate to sacred uses, it is mentioned that he never recovered his property *. And such was the weak state to which the government was reduced by the late popular encroachments, that this outrageous abuse of power was never punished; and such the moderation of this great man's kindred, that though he himself lived fifteen years in high credit after this outrage, saw his children raised to the highest dignities, so that he was carried to his grave by four sons, of whom one had been a Censor, two had triumphed, three had been Consuls, and the fourth, then Prætor, was candidate for the Consulate, which he obtained in the following year; yet no one of this powerful family was induced to hazard increasing the disturbances of the common-

Lex Attinia.

* Plin. lib. vii, c. 44. Cicero, in pleading to have his house restored to him, though devoted to sacred uses, states the form of consecration in the case of Metellus, but denies the effect of it. Pro domo sua, c. 47.

wealth, by attempting to revenge the outrage which their father had suffered *.

This Caius Attinius is mentioned as being the person who obtained the admission of the Tribunes, in right of their office, to a place in the Senate †.

The Consul Sempronius, though authorised by a decree of this body to restrain the violence of the commissioners who were employed in the execution of the Agrarian law, declined that hazardous business, and chose rather to encounter the enemy in the province of Istria, where he made some conquests, and obtained a triumph.

In these turbulent times, lived Pacuvius, the tragic poet, and Lucilius, inventor of the satire. The latter, if we suppose him to be the same whose name is found in the list of Quæstors, was a person of rank, and moved in the line of political preferment.

In this period is dated a dreadful eruption of Mount Ætna, the effect of subterraneous fires, which, shaking the foundations of Sicily and the neighbouring islands, gave explosions of flame, not only from the crater of that mountain, but likewise from below the waters of the sea, and forced sudden and great inundations over the islands of Liparé and the neighbouring coasts.

---

* Plin. lib. vii, c. 44. † A. Gellius, lib. xiv, c. 8.

END OF VOLUME FIRST.

THE

HISTORY

OF THE

PROGRESS AND TERMINATION

OF THE

ROMAN REPUBLIC.

By ADAM FERGUSON,

LL. D. F. R. S. E.

LATE PROFESSOR OF MORAL PHILOSOPHY IN THE UNIVERSITY OF EDINBURGH; MEMBER OF THE ROYAL ACADEMY AT BERLIN, OF THE ROYAL ACADEMY AT FLORENCE, OF THE ETRUSCAN SOCIETY OF ANTIQUARIES AT CORTONA, AND OF THE ARCADIA AT ROME.

A NEW EDITION, IN FIVE VOLUMES.

REVISED AND CORRECTED.

WITH MAPS.

VOL. II.

EDINBURGH:

PRINTED FOR BELL & BRADFUTE.

SOLD BY C. F. & J. RIVINGTON, CADELL & DAVIES, LONGMAN & CO. J. MURRAY, T. HAMILTON, AND T. UNDERWOOD, LONDON.

1813.

Printed by Abernethy & Walker,
Old Bank Close, Lawnmarket.

CONTENTS

OF

VOLUME SECOND.

CHAP. X.

State of the Italian allies, and the views which now began to be entertained by them.—Appearance of Caius Gracchus.—Resolution to purge the city of aliens.—Consulate and factious motions of Fulvius Flaccus.—Conspiracy of Fregellæ suppressed.—Caius Gracchus returns to Rome.—Offers himself candidate for the tribunate.—Address of Cornelia.—Tribunate and acts of Caius Gracchus.—Re-election.—Proposal to admit the inhabitants of Italy on the rolls of Roman citizens.—Popular acts of Gracchus and Livius.—The senate begin to prevail.—Death of Caius Gracchus and Fulvius.....Page 1

CHAP. XI.

State of order and tranquillity which followed the suppression of the late tumults.—Appearance of Caius Marius.—Foreign wars.—Complaints against Jugurtha.—Appearance of the Cimbri.—War with Jugurtha.—Campaign and treaty of Piso.—Jugurtha comes to Rome with a safe-conduct.—Obliged to retire from thence.—Campaign of Metellus.—Of Marius.—Jugurtha betrayed by Bocchus.—His death, after the triumph of Marius.—This general re-elected, in order to command against the Cimbri.....31

CHAP. XII.

Review of the circumstances which revived the popular party at Rome.—Further account of laws and regulations under the administration of this party.—State of the empire.—Fourth consulate of Marius.—Continued migrations of the barbarous nations.—Defeated by Marius at Aquæ Sextiæ.—By Marius and Catulus in Italy......Page 74

CHAP. XIII.

Character and immoderate ambition of Marius.—Death of Nonius.—Re-election of the tribune Saturninus.—His sedition and seizing the capitol.—Death of Saturninus.—Reverse in the state of parties.—Recall of Metellus.—Violent death of the tribune Furius.—Birth of Caius Julius Cæsar.—Lex Cæcilia Didia.—Blank in the Roman history.—Sylla offers himself candidate for the office of prætor.—Edict of the censors against the Latin rhetoricians.—Bullion in the Roman treasury.—Present of a group in golden figures from the king of Mauritania.—Acts of Livius Drusus.—Revolt of the Italian allies.—Policy of the Romans in yielding to the necessity of their affairs.—The laws of Plautius.....91

CHAP. XIV.

Triumph of Pompeius Strabo.—Progress of Sylla.—War with the king of Pontus.—Rise of that kingdom.—Appointment of Sylla to command.—Policy of the tribune Sulpicius.—Sylla's commission recalled in favour of Marius.—His march from Campania to Rome.—Expels Marius and his faction from the city.—His operations in Greece.—Siege of Athens.—Battle of Chæronea.—Of Orchomenos.—Transactions at Rome.—Policy of Cinna.—Marius recalled.—Cinna flees, and is deprived.—Recovers the possession of Rome.—Treaty of Sylla with Mithridates.—He passes into Italy.—Is opposed by numerous armies.—Various events of the war in Italy.—Sylla prevails.—His pro-

scription, or massacre.—Named dictator.—His policy.—Resignation—and Death.....Page 130

CHAP. XV.

State of the commonwealth, and numbers of the people.—Characters of persons who began to appear in the time of Sylla.—Faction of Lepidus.—Sertorius harbours the Marian party in Spain.—Is attacked by Metellus and Pompey.—His death, and final suppression of the party.—First appearance of C. Julius Cæsar.—Tribunes begin to trespass on the laws of Sylla.—Progress of the empire.—Preparations of Mithridates.—War with the Romans.—Irruption into Bithynia.—Siege of Cyzicus.—Raised.—Flight of Mithridates.—Lucullus carries the war into Pontus.—Rout and dispersion of the army of Mithridates.—His flight into Armenia.—Conduct of Lucullus in the province of Asia.....203

CHAP. XVI.

Escape and revolt of the gladiators at Capua.—Spartacus.—Action and defeat of Lentulus the Roman consul.—And of Cassius the Prætor of Gaul.—Appointment of M. Crassus for this service.—Destruction of the gladiators.—Triumph of Metellus and Pompey.—Consulship of Pompey and Crassus.—Tribunes restored to their former powers.—Consulate of Metellus and Hortensius.—War in Crete.—Renewal of the war in Pontus and Armenia.—Defeat of Tigranes.—Negociation with the king of Parthia.—Mutiny of the Roman army.—Complaints of piracies committed in the Roman seas.—Commission proposed to Pompey.—His conduct against the pirates.—His commission extended to Pontus.—Operations against Mithridates.—Defeat and flight of that prince.—Operations of Pompey in Syria.—Siege and reduction of Jerusalem.—Death of Mithridates....237

CHAP. XVII.

Growing corruption of the Roman officers of state.—The love of consideration changed for avarice, rapacity, and prodigality.—

Laws against extortion.—Cataline a candidate for the consulship.—Conspiracy with Autronius.—Competition for the consulate.—Election of Cicero and Antonius.—Condition of the times.—Agrarian law of Rullus.—Trial of Rabirius.—Cabals of the Tribunes.—Of Cataline.—His flight from the city.—Discovery of his accomplices.—Their execution.....Page 30

CHAP. XVIII.

Character of the times.—Philosophy.—Opposite tenets and votaries.—Proceedings of the senate.—Tribunate of Metellus Nepos, and of Cato.—Proposal to recall Pompey at the head of his army frustrated.—His arrival in Italy.—And triumph.....344

CHAP. XIX.

Transactions at Rome, and in the provinces.—Julius Cæsar appointed, in the quality of proprætor, to his first province of Lusitania.—Trial of Clodius.—Proposed adoption into a plebeian family, to qualify him for the office of tribune.—Cæsar a candidate for the consulship.—The triumvirate of Cæsar, Pompey, and Crassus.—Consulship of Cæsar.—Motion of Vatinius, to confer on Cæsar, for five years, the command in Gaul.—Marriage of Pompey to Julia.—Of Cæsar to Calpurnia.—Plot of Vettius.—Consulate of Lucius Calpurnius and A. Gabinius.—Attack made upon Cicero.—His exile.....373

THE

HISTORY

OF THE

PROGRESS AND TERMINATION

OF THE

ROMAN REPUBLIC.

CHAP. X.

State of the Italian allies, and the views which now began to be entertained by them.—Appearance of Caius Gracchus.—Resolution to purge the city of aliens.—Consulate and factious motions of Fulvius Flaccus.—Conspiracy of Fregellæ suppressed.—Caius Gracchus returns to Rome.—Offers himself candidate for the tribunate.—Address of Cornelia.—Tribunate and acts of Caius Gracchus.—Re-election.—Proposed to admit the inhabitants of Italy on the rolls of Roman citizens.—Popular acts of Gracchus and Livius.—The Senate begin to prevail.—Death of Caius Gracchus and Fulvius.

THE eruption of Ætna, and other particulars relating to the natural history of the earth, with the mention of which we concluded our last Chapter, were considered as prodigies, or presages of evils which were yet to afflict the republic of Rome. At this time, indeed, the State of Italy seemed to have received the seeds of much trouble, and to contain

ample materials of civil combustion. Ever since passing the Agrarian law, the Roman citizens, for whom no provision had been made at their return from military service, or who thought themselves partially dealt with in the colonies, the leaders of tumult and faction in the city, were now taught to consider land property as their joint inheritance. They were, in imagination, distributing their lots, and selecting their shares.

In the mean time, the inhabitants of the municipia, or free towns, and their districts, who, not being Roman citizens, took part with the State as subjects, had reason to dread the rapacity of such needy and powerful sovereigns. They themselves likewise began to repine under the inequality of their own condition. They observed, that while they were scarcely allowed to retain the possessions of their fathers, Rome, aided by their arms, had gained that extensive dominion, and obtained that territory, about which the poor and the rich were now likely to quarrel among themselves. And "the Italian "allies," they said, "must bleed in this contest, "no less than they have done in the foreign or "more distant wars of the commonwealth." They had been made, by the professions of Tiberius Gracchus, to entertain hopes that every distinction in Italy would soon be removed, that every freeman in the country would be enrolled as a citizen of Rome, and be admitted to all the powers and pretensions implied in that designation. The consideration of this subject, therefore, could not long be delayed; and the Roman Senators, already struggling with

the claims of their fellow-citizens, had an immediate storm to apprehend from the allies.

Transitions equivalent to revolution had been so frequent in this republic, and its progress from small beginnings to a great empire had been so rapid, that the changes to which men are exposed, and the exertions of which they are capable, no where appear so conspicuous, nor are they any where so distinctly marked.

In the first ages of Rome, the distinctive importance of a citizen appears not to have been sensibly felt or understood. Conquered enemies were removed to Rome, and their captivity consisted in being forced to be Romans, a condition to which they submitted with great reluctance. In that period it is not to be doubted that every foreigner settling at Rome was welcome to take his place as a Roman citizen in the assembly of the People; that many were admitted into the Senate *, and some even were placed on the throne †. It is likely also, that the first colonies considered themselves as detached from the city, and as forming cantons apart; for we find them, like the other States of Italy, occasionally at war with the Romans.

But when the sovereignty of Italy came to be established at Rome, and was there actually exercised by the collective body of the People, the inhabitants of the colonies, it is probable, laid claim to their votes at elections, and presented themselves to be enrolled

* The Claudian family were aliens.

† Tarquinius Priscus was of Greek extraction, and an alien from Tarquinii.

in the Tribes. They felt their own consequence and their superiority over the municipia, or free towns in their neighbourhood, to whom, as a mark of distinction and an act of munificence, some remains of independence had been left. Even in the state, the rolls of the People had been very [illegible] gently made up, or preserved. The Kings, the Consuls, the Censors, who were the officers in different ages of the State, intrusted with the [illegible] gave the privilege of citizens to such as presented themselves, or to such as they were pleased to receive on the rolls. One Consul invited all the free inhabitants of Latium to poll in the assemblies of the People; another rejected them, and in time of elections forbad them the city. But notwithstanding this prohibition, aliens who had been brought to Rome even as captives, were suffered by degrees to mix with the citizens *. The inhabitants of the free towns, removing to Rome upon any creditable footing, found easy admission among the members of some tribe; but from the facility of this admission, the towns complained they were depopulated; and the Senate at last, sensible of the abuse, endeavoured to shut the gates of their city by repeated scrutinies, and the prohibition of surreptitious enrolments; but in vain. The practice still continued, and the growing privilege, distinction and eminence of a Roman citizen, made that title become the great object of ambition to individuals and to entire cantons. It had already been extended to districts whose in-

* This happened particularly in the case of the Campanians.

habitants were not distinguished by any singular merit towards the Roman State. In this respect all the allies were nearly equal; they had regularly composed at least one half in every Roman army, and had borne an equal share in all the dangers and troubles of the commonwealth; and, from having valued themselves of old on their separate titles and national distinctions, they began now to aspire to a share in the sovereignty of the empire, and wished to sink for ever their municipal designations under the general title of Romans.

Not only the great power that was enjoyed in the assembly of the People, and the serious privileges that were bestowed by the Porcian law, but even the title of citizen in Italy, of legionary soldier in the field, and the permission of wearing the Roman toga or gown, were now ardently coveted as marks of dignity and honour. The city was frequented by persons who hoped separately to be admitted in the Tribes, and by numbers who crowded from the neighbouring cantons on every remarkable day of assembly, still flattering themselves, that the expectations which Gracchus had given on this important subject might soon be fulfilled.

In this state of affairs, the Senate authorised Junius Pennus, one of the Tribunes, to move the People for an edict to prohibit, on days of election, or public assembly, this concourse of aliens, and requiring all the country towns in Italy to recall their denizens, who had left their own corporations to act the part of citizens at Rome.

U. C. 627. Consuls: M. Emilius Lepidus, L. Aurelius Orestes.

On this occasion, Caius Gracchus, the brother of the late unfortunate Tribune, stood forth, and made one of the first exhibitions, in which he displayed the extent of his talents, as well as made known the party he was likely to espouse in the commo
Being about twenty years of age when the
occasioned by his elder brother had so muc
ed the republic, and ended so fatally fo
this young man retired upon that catastro
the public view, and made it uncertain wh
sufferings of his family might not deter him
ly from embracing like dangerous counsels, but even from entering at all on the scene of political affairs. His retirement, however, he had employed in such studies as were then come into repute, on account of their importance, as a preparation for the business of the courts of justice, of the Senate or the popular assemblies; and the first public appearance he made gave evident proof of the talents he had acquired for these several departments. His parts seemed to be quicker, and his spirit more ardent, than those of his brother Tiberius; and the people conceived hopes of having their pretensions revived, and more successfully conducted, than they had been under any former leader. The cause of the country towns, in which he now engaged, was specious; but as the part he took in it was likely to form a new and a numerous party, prepared for every factious attempt, and as he professed to make way for the promiscuous admission of strangers on the rolls of the People, a measure which tended so much to distract the republic, to diminish the consequence of those who were

already citizens, the argument in favour of the resolution to purge the city of aliens prevailed, and an act to that purpose, now moved in the assembly of the People, accordingly passed *.

It deserves to be recorded, that amidst the inquiries set on foot in consequence of this edict, or about this time, Perperna, the father of a late Consul †, was claimed by one of the Italian corporations, and found not to have been a citizen of Rome. His son, whom we have already mentioned, having vanquished and taken Aristonicus, the pretended heir of Attalus, died in his command at Pergamus; he is accordingly said to have been a rare example of the caprice of fortune, in having been a Roman Consul, though not a Roman citizen; an example which may farther confirm what has been already observed of the latitude which officers took in conducting the Census.

The fires of sedition which had some time preyed on the commonwealth, were likely to break out with increasing force upon the promotion of Fulvius Flaccus to the dignity of first magistrate. This factious citizen had blown up the flame with Tiberius Gracchus, and having succeeded him in the commission for executing the Agrarian law, never failed to carry the torch wherever matter of inflammation or general combustion could be found. By his merit with the popular party he had attained his present

U. C. 628. M. Plautius Hipsius, M. Fulvius Flaccus.

* Sextus Pompeius Festus in voce Republica. Cicero in Bruto, in Officiis, lib. iii.

† Valerius Maximus, lib. iii, c. 4.

eminence, and was determined to preserve it by continuing his services. He accordingly began the functions of his office by proposing a law to communicate the freedom of the city to the allies or free inhabitants of Italy; a measure which tended to weaken the power of the Senate, and to increase the numbers of the [illegible] greatly beyond what could be convened in a collective body. Having failed in this attempt, he substituted a proposal in appearance more moderate, but equally dangerous, That whoever claimed the right of citizen, in case of being cast by the Censors, who were the proper judges, might appeal to the popular assembly *. This might have conferred the power of naturalization on the leaders of faction; and the danger of such a measure called upon the Senate to exert its authority and influence in having this motion also rejected.

Leges Fulviæ.

The Consul thus already entered on his popular career, uniting the power of supreme magistrate with that of a commissioner for the execution of the Agrarian law, and likely to break through all the forms which had hitherto retarded or stood in the way of this measure, was with difficulty persuaded to call a meeting of the Senate, and to take his place in that body. The whole, as soon as they were met, joined in representations against these dangerous measures, and in a request that he would withdraw his motions. To these expostulations he made no reply †; but an occasion soon afterwards

* Appian. de Bell. Civ. lib. i. † Val. Max. lib. ix, c. 5.

offered, by which the Senate was enabled to divert him from these factious pursuits in the city. A deputation arrived from Marseilles, then in alliance with Rome, to request the support of the republic against the Salyii, a neighbouring nation, who had invaded their territories. The Senate gladly embracing this opportunity to find employment abroad for the Consul, decreed a speedy aid to the city of Marseilles, and appointed M. Fulvius Flaccus to that service. Although this incident marred or interrupted for the present the political designs of the Consul, yet he was induced, by the hopes of a triumph, to accept of the command which offered, and by his absence, to relieve the city for a while from the alarms which he had given. Caius Gracchus, too, was gone in the rank of Proquæstor to Sardinia; and the Senate, if they could by any pretence have kept those unquiet spirits at a distance, had hopes of restoring the former order of the commonwealth.

In this interval some laws are said to have passed respecting the office and conduct of the Censors. The particulars are not mentioned; but the object probably was, to render the magistrate more circumspect in the admission of those who claimed to be numbered as citizens. Such at least was likely to be the policy of the State in the absence of demagogues, who, by proposing to admit the allies on the rolls of the People, had awakened dangerous pretensions in every corner of Italy. It soon appeared how seriously these pretensions were adopted by the country towns; for the inhabitants already bestirred themselves, and were beginning to devise how they

might extort by force what they were not likely to obtain with consent of the original citizens of Rome. A suspicion having arisen of such treasonable concerts forming at Fregellæ *, the Prætor Opimius had a special commission to inquire into the matter, and to proceed as he should find the occasion require. Having summoned the chief magistrate of the place to appear before him, he received from him upon a promise of security to his own person information of the combinations that had been forming against the government of Rome. So in fact the Prætor assembled such a force as was necessary to support him in asserting the authority of the State; and thinking it necessary to give a striking example in a matter of so infectious and so dangerous a nature, he ordered the place to be razed to the ground †.

By this act of severity, the designs of the allies were for a while suspended, and might have been entirely suppressed, if the factions at Rome had not given them fresh encouragement and hopes of success or impunity. This transaction was scarcely past, when Caius Gracchus appeared in the city to solicit the office of Tribune; and, by his presence, revived the hopes of the allies. Having observed, that the Proconsul Aurelius Cotta, under whom he was acting as Proquæstor in Sardinia, instead of being recalled, was continued in his command, and furnished with

U. C. 629. C. Cassius Longinus, C. Sextius Calvinus.

* A municipal town of the Liris, now Monte Corvo on the Garighano.

† Liv. lib. lx. Velleius Obsequens. Cic. lib. ii, De Inventione; De Finibus, v. Ibid. Rhetorius, lib. iv.

reinforcements and supplies of every sort, as for a service of long duration; and suspecting, that this measure was pointed against himself, and proceeded from a design to keep him at a distance from the popular assemblies, he quitted his station in Sardinia and returned to Rome without leave. Being called to account by the Censors for deserting his duty; he defended himself with such ability and force, as greatly raised the expectations which had already been entertained by his party *.

The law, he said, required him only to carry arms ten years; he had actually carried them twelve years; although he might legally have quitted his station of Quæstor at the expiration of one year, yet he had remained in it three years. However willing the Censors might have been to remove this turbulent spirit from the commonwealth, they were too weak to attempt any censure in this state of his cause, and in the present humour of the People. They endeavoured, in vain, to load him with a share in the plot of Fregellæ; he still exculpated himself: and, if he had possessed every virtue of a citizen, in proportion to his resolution, application, eloquence, and even severity of manners, he might have been a powerful support to the State. In a speech to the People, on his return from Sardinia, he concluded with the following remarkable words: "The purse "which I carried full to the province, I have brought "empty back. Others having cleared the wine "casks which they carried from Italy, bring them

* Plutarch. in C. Gracche.

"back from the provinces replenished with silver "and gold *."

In declaring himself a candidate for the office of Tribune, Caius Gracchus professed his intention to propose many popular acts. The Senators exerted all their influence to disappoint his views; but such were the expectations now entertained in Italy, that multitudes crowded to the election in greater numbers than could find place in the public square. Partisans handed and reached out their ballots at windows and over the battlements; but Gracchus, though elected, was, in consequence of the opposition he met with, only fourth in the list †.

Cornelia, the sister of one Scipio Africanus, and the mother-in-law of the other, but still better known as the mother of the Gracchi, who, ever since the death of her son Tiberius, lived in retirement in Campania, upon hearing of the career which her son Caius was likely to run, alarmed at the renewal of a scene which had already occasioned her so much sorrow, expostulated with him on the course he was taking; and, in an unaffected and passionate address, spoke that ardent zeal for the republic, by which the more respectable citizens of Rome had been long distinguished.

This high-minded woman, on whom the entire care of her family had devolved by the death of her husband, whilst the children were yet in their infancy, or under age, took care, with unusual atten-

* A. Gellius, lib. xv, c. 12.

† Plutarch. Appian. Orosius, Eutrop. Obsequens.

tion, to have them educated for the rank they were to hold in the State, and did not fail even to excite their ambition. When Tiberius, after the disgrace of Mancinus, appeared to withdraw from the road of preferments and honours. "How long," she said, "shall I be distinguished as the mother-in-law of "Scipio, not as the mother of the Gracchi?" This latter distinction, however, she came to possess; and it has remained with her name, but from circumstances and events which this respectable personage by no means appeared to desire. In one fragment of her letters to Caius, which is still preserved, "You "will tell me," she said, "that it is glorious to be re- "venged of our enemies. No one thinks so more "than I do, if we can be revenged without hurt to "the republic; but if not, often may our enemies "escape. Long may they be safe, if the good of the "commonwealth requires their safety." In another letter, which appears to be written after his intention of suing for the Tribunate was declared, she accosts him to the following purpose: "I take the "gods to witness, that, except the persons who kill- "ed my son Tiberius, no one ever gave me so "much affliction as you now do in this matter. "You, from whom I might have expected some "consolation in my age, and who, surely, of all my "children, ought to be most careful not to distress "me! I have not many years to live. Spare the "republic so long for my sake. Shall I never see "the madness of my family at an end? When I am "dead, you will think to honour me with a parent's "rites; but what honour can my memory receive

"from you, by whom I am abandoned and disho-
"noured while I live? But may the gods forbid you
"should persist! If you do, I fear the course you
"are taking leads to remorse and distraction, which
"will end only with your life *."

These remonstrances do not appear to have had any effect. Caius, upon his accession to the Tribunate, proceeded to fulfil the expectations of his party. The Agrarian law, though still in force, had met with continued interruption and delay in the execution. It was even falling into neglect. Caius thought proper, as the first act of his magistracy, to move a renewal and confirmation of it, with express injunctions, that there should be an annual distribution of land to the poorer citizens †. To this he subjoined, in the first year of his office, a variety of regulations tending either to increase his own popularity, or to distinguish his administration. Upon his motion, public granaries were erected, and a law was made, that the corn should be issued from thence monthly to the People, two parts in twelve under the prime or original cost ‡.

Lex Sempronia agraria.

Lex frumentaria.

This act gave a check to industry, which is the best guardian of manners in populous cities, or wherever multitudes of men are crowded together.

---

* Fragmenta Corn. Nepotis ab Andrea Scotto collecta, edita cum scriptis Corn. Nepotis.

† Liv. lib. lx. Velleius, lib. ii. Hyginus de Limitibus. Appian. de versis illustribus.

‡ Semisse et trienti, for a half and a third, &c. Liv. Plutarch, Appian. Ibid.

Caius likewise obtained a decree, by which the estates of Attalus, king of Pergamus, lately bequeathed to the Romans, should be let in the manner of other lands under the inspection of the Censors; but the rents, instead of being made part of the public revenue, should be allotted for the maintenance of the poorer citizens *.

Another, by which any person deposed from an office of magistracy by the People, was to be deemed for ever disqualified to serve the republic in any other station. This act was intended to operate against Octavius, who, by the influence of Tiberius, had been degraded from the office of Tribune; and the act took its title from the name of the person against whom it was framed †.

To these were joined, an act to regulate the conditions of the military service ‡, by which no one was obliged to enter before seventeen years of age, and by which Roman soldiers were to receive clothing as well as pay ‖; possibly the first introduction of a uniform into the Roman legions: a circumstance which, in modern times, is thought so essential to the character of troops, or the appearance of an army.

By the celebrated law of Porcius, which allowed of an appeal to the People, every citizen had a remedy against any oppressive sentence or proceeding of the executive magistrate; but this did not

* Florus, lib. iii, c. 15. Cicer. in Verrem.

† Privilegium in Octavium. ‡ De militum commodis.

‖ Plutarch. in C. Graccho.—Lex Sempronia de libertate civium.

appear to Gracchus a sufficient restraint on the officers of State. He proposed to have it enacted, that no person, under pain of a capital punishment, should at all proceed against a citizen without a special commission or warrant from the People to that effect. And he proposed to give this law a retrospect, in order to comprehend Popilius Lænas *, who, being Consul in the year after the troubles occasioned by Tiberius Gracchus, had, under the authority of the Senate alone, proceeded to try and condemn such as were accessory to that sedition. Lænas perceived the storm that was gathering against him, and chose to avoid it by a voluntary exile. This act was indeed almost an entire abolition of government, and a bar to the most ordinary measures, required for the peace of the commonwealth. A popular faction could withhold every power, which, in their apprehension, might be employed against themselves; and in their most pernicious designs had no interruption to fear from the Dictator named by the Senate and Consuls, nor from the Consul armed with the authority of the Senate for the suppression of disorders; a resource to which the republic had frequently owed its preservation. But as we find no change in the administration of justice upon this new regulation, it is probable that the absurdity of the law prevented its effect.

While Gracchus thus proposed to make all the powers of the State depend for their existence on the

* Cicer. in Cluentio; pro Rabino; pro domo sua.

occasional will of the People, he meant also to render the assemblies of the People themselves more democratical, by stripping the higher classes of any prerogative or influence they might derive from mere precedence, in leading the public decisions. The Centuries being hitherto called to vote in the order of their classes, those of the first or highest class, by voting first, set an example which influenced the whole *. To obviate which for the future, the Centuries, by the statute of Gracchus, were required, in every question, to draw lots for the prerogative, or first place in the order of voting, and to declare their suffrage in the place they had drawn.

Under this active Tribune, much public business, that used to pass through the Senate, was engrossed by the popular assemblies. Even in the form of these assemblies, all appearance of respect to the Senate was laid aside. The Rostra, or platform on which the presiding magistrate stood, was placed in the middle of an area, of which one part was the market-place, surrounded with stalls and booths for merchandise, and the courts of justice; the other part, called the Comitium, was open to receive the People in their public assemblies; and on one side of it, fronting the Rostra, or bench of the magistrates, stood the Curia, or Senate-house. The People, when any one was speaking, stood partly in the market-place, and partly in the Comitium. The speakers directed their voice to the Comitium, so as to be heard in the Senate. This disposition, Grac-

* The first Century was called the Prerogativa.

chus reversed; and directing his voice to the Forum, or market-place, seemed to displace the Senate, and to deprive that body of their office as watchmen and guardians of the public order in matters that came before the popular assemblies *.

At the time that the Tribune Caius Gracchus engaged the minds of his contemporaries, and furnished history chiefly with these effects of his factious and turbulent spirit, it is observed, that he himself executed works of general utility; bridges, highways, and other public accommodations throughout Italy: That the State having carried its arms, for the first time, beyond the maritime extremity of the Alps, happily terminated the war with the Salyii, a nation of Gaul, whose territory in the sequel became the first province of Rome in that country: And that, in consequence of what passed in this quarter, Caius Sextius, Consul of the preceding year, was authorised to place a colony in the neighbourhood of the hot springs, which, from his name, were called the Aquæ Sextiæ, and are still known by a corruption of the same appellation †.

From Asia, at the same time, it was reported, that Ariarathes, the king of Cappadocia, and ally of the Romans, was murdered, at the instigation of Mithridates, king of Pontus, whose sister he had married; that the murdered Prince had left a son for whom Mithridates affected to secure the kingdom; but

* M. Varro de Re Rustica, lib. i, c. 2. Cic. de Amicitia. Plutarch. in vit. Caii Gracchi.

† At Aix, in Provence.

that the widowed queen having fallen into the hands of Nicomedes, king of Bithynia, this prince, in her right, had taken possession of Cappadocia, while Mithridates, in name of his nephew, was hastening to remove him from thence. On this subject a resolution was adopted in the assembly of the People at Rome, that both Nicomedes and Mithridates should be required immediately to evacuate Cappadocia, and to withdraw their troops. This resolution Caius Gracchus opposed with all his eloquence and his credit, charging his antagonists aloud with corruption, and a clandestine correspondence with the agents, who, on different sides, were now employed at Rome in soliciting this affair. "None of "us," he said, "stand forth in this place for no- "thing. Even I, who desire you to put money in "your own coffers, and to consult the interest of "the State, mean to be paid, not with silver or gold "indeed, but with your favour and a good name. "They who oppose this resolution likewise covet, "not honours from you, but money from Nicome- "des; and they who support it, expect to be paid "by Mithridates, not by you. As for those who "are silent, they, I believe, understand the market "best of all. They have heard the story of the "poet, who being vain that he had got a great sum "of money for rehearsing a tragedy, was told by "another, that it was not wonderful he had got so "much for talking, when I, said the other, who it "seems knew more than he was wished to declare, "have got ten times as much for holding my tongue,

"There is *nothing* that a king will buy at so great "a price, on occasion, as silence *."

Such, at times, was the style in which this popular orator was pleased to address his audience. Individuals are won by flattery, the multitude by buffoonry and satire. From the tendency of this speech, it appears to have been the opinion of Gracchus, not that the Romans should sequester the kingdom of Cappadocia for the heirs of Ariarathes, but that they should seize it for themselves. The question, however, which now arose relating to the succession to this kingdom, laid the foundation of a tedious and bloody war, of which the operations and events will occur in their place.

U. C. 639. C. Fannius, Cn. Domitius Ahenobarbus.

Gracchus, on the approach of the election of Consuls, employed all his credit and influence to support Caius Fannius, in opposition to Opimius, who, by his vigilance and activity in suppressing the treasonable designs of the allies at Fregellæ, had incurred the displeasure of the popular party; and Fannius being accordingly chosen, together with Cn. Domitius Ahenobarbus, Gracchus proceeded to offer himself as a candidate to be re-elected into the office of Tribune. In this he followed the example of his brother Tiberius in a step, which, being reckoned illegal as well as alarming, was that which hastened his ruin. An attempt had been since made by Papirius Carbo to have the legality of such re-elections acknowledged; but this having failed, Caius Gracchus, with great

* A. Gellius, lib. ii, c. 10.

address, inserted in one of his popular edicts, a clause declaring it competent for the People to re-elect a Tribune, in case he should need a continuation of his power in order to fulfil his public engagements. To avail himself of this clause, he now declared, that his views in behalf of the People were far from being accomplished. Under this pretence he obtained a preference to one of the new candidates, and greatly strengthened the tribunitian power by the prospect of its repeated renewals, and duration for an indefinite time.

After his re-election, Caius, continuing his administration as before upon the same plan of animosity to the Senate, obtained a law to deprive that body of the share which his brother had left them in the courts of justice; and ordaining, that the judges, for the future, should be draughted from the Equestrian order alone, a class of men, who, being left out of the Senate, and of course not comprehended in the laws that prohibited commerce, had betaken themselves, as has been observed *, to lucrative professions, were the farmers of the revenue, the contractors for the army, and, in general, the merchants who conducted the whole trade of the republic. Though they might be considered as neutral in the disputes of the Senate and People, and therefore impartial where the other orders were biassed, there was no class of men, from their ordinary habits, more likely to prostitute the character of judges for interest or actual hire.

Lex Sempronia Judiciaria.

* Vol. i, page 381.

This revolution in the courts of justice accordingly may have contributed greatly to hasten the approaching corruption of manners, and the disorders of the state.

Lex de Provinciis ordinandis.

The next ordinance prepared by Gracchus, or ascribed to him, related to the nomination of officers to govern the provinces; and, if it had been strictly observed, might have made some compensation for the former. The power of naming such officers was committed to the Senate, and the arrangements were to be annually made before the election of Consuls. This continued to be law, but was often overruled by the People *.

In the same year, the boldest and most dangerous project ever formed by any popular leader, that of extending the roll of citizens to all the Italian allies, already attempted by Fulvius Flaccus, was again renewed by Caius Gracchus; and by the utmost exertion of the vigilance and authority of the Senate, with great difficulty prevented.

The rumour of this project having brought multitudes to Rome, the Senate thought it necessary to give the Consuls in charge, that on the day this important question was to come on, they should clear the city of all strangers, and not suffer any aliens to remain within four miles of the walls. While this business remained in suspense, Gracchus flattered the poorer citizens with the prospect of advantageous settlements, in certain new colonies, of six thousand

* Florus, lib. iv, c. 13. Sallust. de Bell. Jugurth. NO. 621. Cicero de Provinciis Consularibus.

men each, which he proposed to plant in the districts of Campania and Tarentum, the best cultivated and most opulent parts of Italy, and in colonies, which he likewise proposed to send abroad into some of the richest provinces. Such settlements had been formerly made to occupy and secure some recent conquest abroad; they were now calculated to serve as allurements to popular favour, and as a provision, made by the leaders of faction, for their own friends and adherents at Rome.

The Senate, attacked by such popular arts, resolved to retort on their adversaries; and for this purpose encouraged Marcus Livius, another of the Tribunes, and probably jealous of Gracchus, to take such measures as should, if posssible, supplant him in the favour of the people. Livius, accordingly, professing to act in concert with the Senate, proposed a number of acts: one to conciliate the minds of the allies, by giving them, while they served in the army, the same exemption from corporal punishment, which the Roman citizens had enjoyed. Another for the establishment of twelve different colonies, each of three thousand citizens. But what, possibly, had the greatest effect, because it appeared to exceed in munificence all the edicts of Gracchus, was an exemption of all those lands, which should be distributed in terms of the late Sempronian Law, from all quit-rents and public burdens, which had hitherto, in general, been laid on all possessions that were held from the public *. It was proposed to name ten commission-

Lex Livia de Tergo Civium Latini Nominis.

* Plutarch. Paulus Minutius de Legibus Romanis.

ers to distribute lands thus unencumbered to the People; and three colonies are mentioned, Syllaceum, Tarentum, and Neptunia or Pestum, as having been actually sent abroad in this year, and probably on these terms.

Lex Rubria.

About the same time it was decreed, that the city of Carthage should be rebuilt for the reception of a colony of six thousand Roman citizens. This decree bears the name not of Sempronius or of Livius, but of Rubrius, another Tribune of the same year.

The Senate readily agreed to the settlement of these colonies, as likely to divide the popular favour, to carry off a number of the more factious citizens, and to furnish an opportunity likewise of removing from the city, for some time, the popular leaders themselves, under pretence of employing them to conduct and to settle the families destined to form those establishments. Accordingly, Caius Gracchus, and Fulvius Flaccus, late Consul, and now deeply engaged in all these factious measures, were destined to take charge of the new colonists, and to superintend their settlement *.

U. C. 632. Con. L. Opimius, Q. Fab. Maximus.

In the mean time, the Senate, in the election of Opimius to the Consulship of the following year, carried an object of the highest importance to the reputation and interest of their party, and by the authority of this magistrate conceived hopes of being able to combat the designs of Gracchus more effectually than they

* Plutarch. Appian. Orosius.

had hitherto done. Opimius was accordingly retained in the administration of affairs in Italy, while his colleague, Fabius, was appointed to command in Gaul.

Caius Gracchus, having the presumption to offer himself a third time candidate for the office of Tribune, was rejected, and had the mortification to find, that the authority of the Senate began to prevail; and, as they had credit enough to procure his exclusion from any share in the magistracy, so they might be able to frustrate or reverse many of the acts he had obtained in the pursuit or execution of his projects.

By the repulse of Gracchus and his associates, the aristocratical party came to have a majority, even in the college of Tribunes. Questions of legislation were now likely to be determined in the assembly of the Centuries; and this circumstance alone, while the Senate was able to retain it, was equivalent to an entire restitution of the aristocratical government. The Centuries, under the leading of an active Consul, were likely to annul former resolutions with the same decision and rapidity with which they had been passed. Much violence was expected, and the different parties, recollecting what had happened in the case of Tiberius Gracchus, and careful not to be surprised by their antagonists; for the most part came to the place of assembly in bands, even under arms, and endeavoured to possess the advantage of the ground as in the presence of an enemy.

Minucius, one of the Tribunes, in consequence of a resolution of the Senate, pretending that he was

moved by some unfavourable presages, proposed a repeal or amendment of some of the late popular acts; and particularly, to change the destination of the colony intended for Carthage, to some other place. This motion was strenuously opposed by Fulvius Flaccus and by Caius Gracchus, who treated the report of presages from Africa as a mere fiction, and the whole design as proceeding from the inveterate hatred of the Nobles to the People. Before the assembly met, in which this question was to be decided, the popular leaders attempted to seize the Capitol, but found themselves prevented by the Consul, who had already, with an armed force, secured that station.

In the morning after they had received this disappointment, the People being assembled, and the Consul being employed in offering up the customary sacrifices, Gracchus, with his party, came to their place in the Comitium. One of the attendants of the Consul, who was removing the entrails of a victim, reproached Gracchus, as he passed, with sedition, and in the petulance of a retainer to power, bid him desist from his machinations against the government of the commonwealth. On this provocation, one of the party of Gracchus struck the offender with his dagger, and killed him on the spot. The cry of murder ran through the multitude, and the assembly began to break up. Gracchus endeavoured to speak, but could not be heard for the tumult; and all thoughts of business were laid aside. The Consul immediately summoned the Senate to meet; and having reported a murder committed in the place of

assembly, and what appeared to him the first act of hostility in a war, which the popular faction had prepared against the State, he received the charge that was usual on perilous occasions, to provide, in the manner which his own prudence should direct, for the safety of the commonwealth. Thus authorised, he commanded the Senators and the Knights to arm, and made proper dispositions to secure the principal streets. Being master of the Capitol and Forum, he adjourned the assembly of the People to the usual place on the following day, and cited the persons accused of the murder that was recently committed, to answer for the crime which was laid to their charge.

In consequence of this adjournment, and the Consul's instructions, numbers in arms repaired to the Comitium at the hour of assembly, and were ready to execute such orders as they might receive for the public safety. Gracchus and Fulvius refused to obey the citation they had received, and the Capitol being secured against them, they took post, with a numerous party in arms, on the Aventine Hill, which was opposite to the Capitol, and from which, though more distant, they equally looked down on the Circus, the Forum, and the place of assembly.

Being again cited to appear at the Tribunal of the Roman People, they sent a young man, one of the sons of Fulvius, to capitulate with the Consul, and to settle the terms on which they should descend from their stronghold. To this message they were told, in return, that they must answer at the bar of the assembly, as criminals, not pretend to negotiate

with the republic, as equals; that no party, however numerous, was entitled to parley with the People of Rome: and to this answer the messenger was forbidden, at his peril, to bring any reply. The party, however, still hoped to gain time, or to divide their enemies; and they ventured to employ young Fulvius again to repeat their message. He was seized by the Consul's order. Gracchus and Fulvius, with their adherents, were declared public enemies; and a reward was offered to the person who should kill or secure them. They were instantly attacked, and, after a little resistance, forced from their ground. Gracchus fled by the wooden bridge to the opposite side of the Tiber, and was there slain, either by his own hand, or by that of a faithful servant, who had undertaken the task of thus saving him in his last extremity from falling into the power of his enemies. Fulvius was dragged to execution from a bath where he attempted to conceal himself. The heads of both were carried to the Consul, and exchanged for the promised reward.

In this fray the party of the Senate, being regularly armed and prepared for slaughter, cut off the adherents of Caius Gracchus and Fulvius in greater numbers than they had done those of Tiberius; they killed about three thousand two hundred and fifty in the streets, and confined great numbers, who were afterwards strangled in the prisons. The bodies of the slain, as the law ordained, in the cases of treason, being denied the forms of a funeral, were cast into the river, and their estates confiscated *.

* Appian. Plutarch. Orosius. lib. v, c. 12. Florus, lib. iii, c. 15. Auctor de Viris Illustribus. c. 65.

The house of Fulvius was razed, and the ground on which it stood was laid open for public uses. From these beginnings, it appeared that the Romans, who, in the pursuit of their foreign conquests, had so liberally shed the blood of other nations, might become equally lavish of their own.

CHAP. XI.

State of order and tranquillity which followed the suppression of the late tumults.—Appearance of Caius Marius.—Foreign wars.—Complaints against Jugurtha.—Appearance of the Cimbri.—War with Jugurtha.—Campaign and treaty of Piso.—Jugurtha comes to Rome with a safe conduct.—Obliged to retire from thence.—Campaign of Metellus.—Of Marius.—Jugurtha betrayed by Bocchus.—His death after the triumph of Marius.—This general re-elected, in order to command against the Cimbri.

THE popular party had, in the late tumults, carried their violence to such extremes, as disgusted and alarmed every person who had any desire of domestic peace; and, in their ill-advised recourse to arms, but too well justified the measures which had been taken against them. By this exertion of vigour, the Senate and ordinary magistrates recovered their former authority; affairs returned to their usual channel, and the most perfect order seemed to arise from the late confusions. Questions of legislation were allowed to take their rise in the Senate, and were not carried to the People, without the sanction of the Senate's authority. The legislative power was exercised in the assembly of the Centuries, and the prohibitory or defensive function of the Tribunes, or representatives of the People, with-

out stopping the proceedings of government, or substituting a democratical usurpation, was such as to check the abuses of executive power in the hands of the aristocracy. Even the judicative power, vested in the Equestrian order, promised to have a salutary effect, by holding a balance between the different ranks and distinctions of men in the republic.

Meanwhile the aristocratical party, notwithstanding the ascendant they had recently gained, did not attempt to rescind any of the regular institutions of Gracchus; they were contented with inflicting punishments on those who had been accessory to the late sedition, and with re-establishing such of the Nobles as had suffered by the violence of the popular faction. Popilius Lænas, driven into exile by one of the edicts of Gracchus, or by the persecution to which it exposed him, was now recalled upon the motion of Calpurnius Piso, one of the Tribunes *.

U. C. 633. Publius Manlius, and C. Papirius Carbo.

As the state of parties was in some measure reversed, Papirius Carbo, who wished to be of the winning side, thought proper to withdraw from that he had espoused; and, by the credit of those now in possession of the government, was promoted to the station of Consul, and yielded the first fruits of his conversion by defending the cause of his predecessor Opimius, who, at the expiration of his Consulate, was brought to trial for having put Roman citizens to death without the forms of law. Carbo, though himself

* Cicero in Bruto.

connected with those who suffered in that instance, now pleaded the justice and necessity of the late military executions; and, upon this plea, obtained the acquittal of his client.

This merit on the part of Carbo, however, did not so far cancel his former offences as to prevent his being himself tried and condemned in the following year, as an accomplice in the sedition of Gracchus. He was supposed to have been accessory to the murder of Scipio; and his cause not being warmly espoused by any party, he fell a sacrifice to the imputation of this heinous crime. It is said, that upon hearing his sentence pronounced, he killed himself*.

Lex Octavia Frumentaria.

Octavius, one of the Tribunes of the present year, moved an amendment of the law obtained by Gracchus, respecting the distribution of corn from the public granaries, probably to ease the treasury in part of that burden; but the particulars are unknown.

About this time appeared in the assemblies of the People the celebrated Caius Marius. Born of obscure parents in the town of Arpinum, on the Liris†, and formed amidst the occupations of a peasant‡, and the hardships of a legionary soldier, of rustic manners, but of a resolute spirit, and eager ambition. Without any other apparent title than that of being a denizen of Rome, he now laid claim to the honours of the State. He is remarkable for having suffered more repulses in his first attempts

* Valerius Max. lib. iii, c. 7. Cicero in Bruto.

† The Garigliano. ‡ Juvenal. Sat. viii. Plin. lib. xxxiii, c. 11.

to be elected into office, and for having succeeded more frequently afterwards, than any other Roman citizen during the existence of the commonwealth.

Marius, after being disappointed in his first canvass for the office of Tribune, succeeded in the following year. The acts which were passed under his Tribunate, and which bear his name, do not carry any violent expressions of party-spirit, nor give intimation of that insatiate ambition with which he afterwards distressed his country; the first related to the conduct of elections, and provided some remedy for an evil which was complained of in the manner of soliciting votes. The space between the rails, by which the citizens passed to give in their ballots, was so broad as to admit, not only those who came to vote, but the candidates also, with their adherents and friends, who came to importune and to overawe the People in the very act of giving their suffrage. Marius proposed to put an end to this practice, and to provide for the entire uninfluenced freedom of election, by narrowing the entrance, so that only the voters could pass. A party of the Nobles, with Aurelius Cotta the Consul at their head, not knowing with what a resolute spirit they were about to contend, being averse to this reformation, prevailed on the Senate to withhold its assent, without which any regular question on this subject could not be put to the People. But Marius, in the character of Tribune, threatened the Consul with immediate imprisonment, if he did not move the Senate to recall its vote. The matter being reconsidered, Lucius Metel-

Lex Maria de Suffragiis.

lus, who was first on the Rolls, having given his voice for affirming the first decree, was ordered by Marius into custody; and there being no Tribune to intercede for him, must have gone to prison, if the dispute had not terminated by the majority agreeing to have the matter carried before the People, as Marius proposed, with the sanction of the Senate's authority.

In another of the acts of Marius, the republic was still more indebted to his wisdom and courage, in withstanding an attempt of one of his colleagues to flatter the indigent citizens at the expence of the public treasury, by lowering the terms on which corn, in pursuance of an order recently obtained by Octavius, was distributed from the granaries. This was an ordinary expedient of tribunitian faction. Marius opposed it as of dangerous consequence. And his conduct in this matter marked him out as one not to be awed by clamour, and a person who, into whatever party he should be admitted, was destined to govern. The times indeed were likely to give more importance to his character as a soldier than as a citizen; and in that he was still farther raised above the censure of those who were inclined to revile or undervalue what were called his upstart pretensions *.

From the time that the Romans first passed into the Transalpine Gaul, as auxiliaries to the republic of Marseilles, they had maintained in that neighbourhood a certain military establishment; and, by

* Plutarch. in Mario.

planting colonies at convenient stations, shewed their intention of retaining possessions on that side of the Alps. Betultus, or Betultich, a prince of the country, who was supposed to have a force at command of two hundred thousand men, attempted to expel these intruders, but was defeated, first by the Proconsul Fabius, afterwards by Domitius Ahenobarbus, who found in their conflicts with this enemy the occasion of their respective triumphs. This prince himself became a captive to Domitius, and was carried to Rome, where he was led in procession, distinguished by his painted arms and his chariot of silver, the equipage in which it was said he usually led his army to battle *.

It appears that the Romans had availed themselves of their possessions in Africa, to be supplied with elephants from thence, and these they employed in the first wars they made in Gaul; for the victory of Domitius is attributed to the effect that was produced by these animals †.

U. C. 633.

Quintus Marcius succeeded Domitius in the command of the troops which were employed in Gaul, and continued to gain ground on the natives, who took arms from different cantons successively against him. He planted a colony at Narbo, to strengthen the frontier of the newly acquired province on one side; and, as the Romans had hitherto always passed by sea into that country, he endeavoured to

* Velleius Pater. Ammianus Marcel. lib. xv, fine. Pædianus in Verrinam Secundam. Val. Max. lib. v, c. 9.

† Suetonius in vita Neronis.

open a passage by the Alps, in order to have a communication by land with Italy on the other. In the course of these operations, the Stæni, an Alpine nation that obstructed his march, was entirely cut off.

About this time the Roman generals obtained their triumphs on different quarters, in the Baleares, and in Dalmatia, as well as in Gaul; and the republic did not meet for some years with an enemy able to resist her power, except on the side of Thrace and the Ister or Danube, where a Proconsul of the name of Cato was defeated, and where a resistance was for some years kept up by the natives.

But of the foreign affairs which now occupied the attention of the Romans, the most memorable was that which arose from the contest of pretenders to the crown of Numidia, which, by the death of Micipsa, the son and successor of Massinissa, came to be disposed of about this time. The late king had two sons, Adherbal and Hiempsal. He had likewise adopted Jugurtha, the natural son of his brother Manastabal, whom he had employed at the head of his armies, thinking it safer to gain him by good offices, than to provoke him by a total exclusion from favour. This monarch had formed a project, frequent in barbarous times, but always ruinous, to divide his territories; and he hoped that, while he provided for his own sons, he should secure to them, from motives of gratitude, the protection and good offices of Jugurtha, whom he admitted to an equal share with them in the partition of his kingdom. The consequences of this mistaken arrangement

soon appeared in the distractions that followed, and which arose from the ambition of Jugurtha, who, not content with his part of the kingdom, aspired to make himself master of the whole. For this purpose he formed a secret design against the lives of both the brothers, of whom the younger, Hiempsal, fell into a snare which was laid for him, and was killed. Adherbal, being more cautious, obliged his crafty enemy to declare himself openly, took the field against him with all the forces he could raise, but was defeated, and obliged to take refuge in the Roman province, and from thence thought proper to pass into Italy, in order to lay his complaints before the Senate and People of Rome.

Massinissa, the grandfather of this injured prince, had given effectual aid to the Romans in their wars with Carthage; and, upon the final reduction of that republic, was rewarded with a considerable part of its spoils. From this time forward the Romans expected, and the kings of Numidia actually paid to them, a deference in the manner of a vassal or tributary prince to his sovereign lord. Upon the faith of this connection with Rome, Adherbal now carried his complaints to that city; and Jugurtha, knowing how ready the Romans were, in the character of arbitrators, to consider themselves as the sovereign among nations, thought proper to send a deputation on his own part, to counteract the representations of his rival.

This crafty Numidian had served under Scipio at the siege of Numantia, where he had an opportunity of observing the manners and discipline of the

Romans, and accommodated himself to both. He was equally distinguished by his implicit submission to command, as by his impetuous courage, and by the ability of his conduct in every emergence. He had even then probably directed his views to the succession which was likely to fall into weak or incapable hands, and saw of what consequence the Romans might prove in deciding his fortunes. He had studied their character, and had already marked out the line he was to follow in conducting his affairs with them. They appeared to be a number of sovereigns assembled together, able in council, and formidable in the field; but, in comparison to the Africans in general, open, undesigning and simple. With the pride of monarchs they began, he imagined, to feel the indigence of courtiers, and were to be moved by considerations of interest rather than force. His commissioners were now accordingly furnished with ample presents, and with the means of gratifying the principal persons at Rome in a manner that was suited to their respective ranks and to their influence in the State.

In the choice of this plan, Jugurtha, like most politicians that refine too much, had formed a system with great ingenuity, and spoke of it with a specious wit; but had not taken into his account the whole circumstances of the case in which he engaged. Rome, he used to say, was a city to be sold. But he forgot that, though many Romans could be bought, no treasure was sufficient to buy the republic; that to buy a few, made it necessary for him to buy many more; that as he raised expecta-

tions, the number of expectants increased without limit; that the more he gave, the more he was still expected to give; that in a State which was broke into factions, if he gained one party by his gifts, that alone would be sufficient to rouse up another against him. And accordingly, after lavishing his money to influence the councils of Rome, he was obliged to have recourse to arms at last, and to contend with the forces of the republic, after he had exhausted his own treasure in attempting to corrupt her virtue.

Although this adventurer had his abettors at Rome, such was the injustice of his cause, or the suspicion of treachery in those who espoused it, that they durst not openly avow their intentions. They endeavoured to suspend the resolutions which were in agitation against him, and had the matter referred to ten commissioners, who should go into Africa, and in presence of the parties settle the differences which subsisted between them. There indeed he was supposed to have practised his art on the Roman commissioners with better success than he had experienced with the Senate and People. He prevailed upon these commissioners to agree to a partition of the kingdom, and to favour him in the lot which should be assigned to himself: knowing that force must ultimately decide every controversy which might arise on the subject, he made choice, not of the richest, but of the most warlike division; and indeed, had already determined that, as soon as the Romans were gone from Africa, he should make an end of the contest by the death of Adherbal;

trusting that, by continuing to use the specific which it was said he had already applied, he might prevail on the Romans to overlook what they would not, on a previous request, have permitted.

He accordingly, soon after the departure of the Roman commissioners, marched into the territories of Adherbal, shut him up in the town of Cirta; and, while the Romans sent him repeated messages to desist, still continued the blockade, until the mercenaries of Adherbal, tired of the hardships they were made to endure, advised, and, by their appearing ready to desert, forced him to commit himself to the mercy of Jugurtha, by whom he was immediately slain.

By these events, in about seven years from the death of Micipsa, Jugurtha attained the object which he had so long desired; but the arts which procured him a crown, likewise rendered his state insecure. He was disappointed in his expectation to pacify the Romans. The money he dealt went into the pockets only of a few, but his crimes roused the indignation of the whole People. Practised statesmen or politicians are seldom directed in their conduct by mere feelings of injustice respecting wrongs of a private nature. They have, or affect to have, reasons of state to set the consideration of individuals aside. The greater part of the Roman Senate, accordingly, whether acting on maxims of policy, or, according to the scandal of the times, won by the presents of Jugurtha, received the complaints which were lodged against him with indifference; but the assembly of the People, moved by the cries of perfidy and

murder which were raised by the Tribunes, received the representations of his conduct with indignation and rage. These passions were inflamed by opposition to the Nobles, who were supposed to favour the murderer. Neither the most deliberate Statesman nor the most determined partisan of Jugurtha durst appear in his cause, nor propose to decline a war with that prince, although it was likely to be attended with considerable difficulties, and was to be undertaken at a time when a cloud hung over Italy itself on the side of Gaul, a quarter from which the Italians always expected, and often experienced, the most terrible storms.

About the time that Adherbal laid his complaints against Jugurtha before the Senate of Rome, a new enemy had appeared. The north of Europe, or of Asia, had cast off a swarm of its people, which, spreading to the south and to the west, was first descried by the Romans on the frontier of Illyricum, and presently drew their attention to that side. The horde thus in motion was said to consist of three hundred thousand fighting men, accompanied by their families of women and children, and covering the plains with their cattle. The Consul Papirius Carbo was ordered to take post in Illyricum, to observe the motions of this tremendous host. Alarmed by their seeming to point towards the district of Aquileia, he put himself, with too little precaution, in their way; and, unable to withstand their numbers, was overwhelmed as by a tempest.

U. C. 627.

This migrating nation the Romans have called by the name of Cimbri, without determining from whence they came. It is said that their cavalry amounted to no more than fifteen thousand; that it was their practice to despise horses, as well as the other spoils of an enemy, which they generally destroyed: and from this circumstance it may be argued, that they were not of Scythian extraction, nor sprung from those mighty plains in the northern parts of Asia, where military force has from time immemorial consisted of cavalry, and where the animal they mounted was valued above every other species of acquisition or property; and that they must have been bred rather amongst mountains and woods, where the horse is not of equal service. On their helmets, which were crested with plumes, they carried the gaping jaws of wild beasts. On their bodies they wore breastplates of iron, had shields painted of a conspicuous colour, and carried two missile javelins or darts, and a heavy sword. They collected their fighting men, for the most part, into a solid column, equally extending every way: in one of their battles, it was reported, that the sides of this square extended thirty stadia, or between three and four miles. The men of the foremost ranks were fastened together with chains locked to their girdles, which made them impenetrable to every attack, and gave them the force of a torrent, in sweeping obstructions before them. Such were the accounts, whether well or ill founded, with which the Romans were alarmed on the approach of this tremendous enemy.

Although, by the defeat of Carbo, Italy lay open to their devastations, yet they turned away to the north and to the westward, and keeping the Alps on their left, made their appearance again in the neighbourhood of Narbonne, or province of Transalpine Gaul, and from thence passed over the Pyrenees, alarming the Roman settlements in Spain, and keeping Rome itself in suspense, by the uncertainty of the track they might afterwards choose to pursue.

U. C. 642. Pub. Cornelius Scipio Nasica. L. Calpurnius Piso, Bestia.

Such was the state of affairs when the popular cry and generous indignation of the Roman People forced the State into a war with Jugurtha. The necessary levies and supplies for this service were ordered. The Consul Piso was destined to command, and Jugurtha could no longer doubt that the force of the Roman republic was to be employed against himself; yet in hopes to avert the storm, and relying on the arts he had formerly practised, which were said to consist in the distribution of presents and money, he sent his own son, with two proper assistants, in quality of ambassadors to Rome. As soon as their arrival was announced to the Senate, a resolution of this body passed, that unless they brought an offer from Jugurtha to surrender his person and his kingdom at discretion, they should be required in ten days to be gone from Italy.

This resolution being made known to the son of Jugurtha, he presently withdrew, and was soon followed by a Roman army, which had been already prepared to embark for Africa. The war was conducted at first with great vivacity and success; but

Jugurtha, by offering great public concessions or private gratifications, prevailed on the Consul to negociate. It was agreed, that, upon receiving a proper hostage on the part of the Romans, the king himself should repair to their camp, in order to conclude the treaty. In the articles which were made public, the king agreed to surrender himself at discretion, and to pay a large contribution in horses, corn, elephants, and money; but in secret articles, which were drawn up at the same time, the Consul engaged that the person of the king should be safe, and that the kingdom of Numidia should be secured to him.

During these transactions the time of the expiration of Piso's command drew near, and he himself was called into Italy to preside at the approaching elections. His report of the treaty with Jugurtha was received with suspicion, and the cry of corruption resumed by the popular party. "Where is "this captive?" said the Tribune Memmius; "if "he have surrendered himself, he will obey your "commands; send for him; question him in re- "spect to what is past. If he refuse to come, we "shall know what to think of a treaty which brings "impunity to Jugurtha, princely fortunes to a few "private persons, mortification and infamy to the "Roman Republic." Upon this motion the Prætor Cassius Longinus, a person of approved merit and unshaken integrity, was hastened into Africa, with positive instructions to bring the king of Numidia to Rome. By the safe-conduct which Cassius brought on the part of the republic, and by his own assuran-

ces of protection, Jugurtha was prevailed on to commit himself to the faith of the Romans. He accordingly laid aside his kingly state, dismissed his attendants, and set out for Italy, determined to appear as a suppliant at Rome. Upon his arrival, being called into the public assembly, Memmius proposed to interrogate him on the subject of his supposed secret transaction with certain members of the Senate; but here Bebeius, another of the Tribunes, interposed his negative; and, notwithstanding that the People exclaimed, and even menaced, this Tribune persisted. And before this obstruction to the further examination of Jugurtha could be removed, an incident took place, which occasioned his sudden departure from Italy.

Massiva, the son of Gulussa, being the grandson and natural representative of Massinissa, and the only person beside Jugurtha who remained of the royal line of Numidia, had been persuaded by Albinus, the Consul elected for the ensuing year, to state his own pretensions before the Roman Senate, and to lay claim to the crown. Jugurtha, though at Rome, and in the power of those who were likely to resent any insult that was offered to their government, gave a specimen of the bold and sanguinary counsels to which he was inclined, employing against his competitor the ordinary arts of an African court, had him assassinated. The crime was traced to its author, but the safe-conduct he had received could not be violated; and he was only commanded without delay to depart from Italy. On this occasion

he left Rome with that memorable saying; "Here "is a city to be sold, if any buyer can be found."

U. C. 645. M. Minucius Rufus, and Postumius Albinus.

The Consul Albinus soon followed Jugurtha, to take the command of the Roman army in Africa; and being eager to perform some notable action before the expiration of his year, which was fast approaching, he pressed on the King of Numidia with all the forces he could assemble in the province, but found that he had to do with an enemy who had the art to elude his impetuosity, and from whose apparent conduct no judgment could be formed of his real designs. This artful warrior often advanced with a seeming intention to hazard a battle, when he was most resolved to decline it; or he himself precipitantly fled, when his design was to rally and take advantage of any disorder his enemy might incur in a too eager pursuit. His offers of submission, or his threats, were equally fallacious; and he used, perhaps in common with other African princes, means to mislead his antagonist, which Europeans, ancient as well as modern, have in general condemned. He made solemn capitulations and treaties with a view to break them, and considered breach of faith no more than a feint or an ambush, as a stratagem licensed in war. The Europeans have always termed it perfidy to violate the faith of a treaty, the Africans held it stupidity to be caught in the snare.

By the artifices of Jugurtha accordingly, or by the remissness of those who were opposed to him, the war was protracted for another year, and the Consul, as the time of election drew near, was recalled,

as usual, to preside in the choice of his successor. At his arrival the city was in great agitation. The cry of corruption, which had been raised against many of the Nobles, on account of their supposed correspondence with Jugurtha, gave an advantage to the popular party, and they determined to improve it, by raising prosecutions to the ruin of persons, either odious to the People, or obnoxious to the Equestrian order, who then had the power of judicature in their hands *. Three inquisitors were accordingly named by special commission to take cognisance of all complaints of corruption that should be brought before them; and this commission was instantly employed to harass the Nobility, and to revenge the blood which had been shed in the late popular tumults. Lucius Calpurnius Piso, Bestia, C. Cato, Spurius Albinus, and L. Opimius, all of consular dignity, fell a sacrifice on this occasion to the popular resentment. The Tribune Mamilius, upon whose motion this tribunal had been erected, with his associates, apprehending that, upon the expiration of their trust, the heat of the prosecutions might abate, moved the People that they might be continued in their office; and, upon finding themselves opposed by the influence of the Senate and the ordinary magistrates, they suspended, by virtue of their tribunitian prerogative, the election of Consuls, and for a whole year kept the republic in a state of absolute anarchy.

* Cicero de Claris Oratoribus. Sallust. in Bell. Jugurth.

In this interval, Aulus Albinus, who had been left by his brother, the late Consul, in the command of the army in Africa, determined to improve the occasion by some memorable action. He left his quarters in the winter, and marched far into the country, hoping that by force or surprise he might possess himself of the Numidian treasures and military stores. Jugurtha encouraged him in this design, affected fear, retired with precipitation wherever the Romans presented themselves; and to increase the presumption of their general, sent frequent messages to implore his pity.

He at the same time endeavoured to open a correspondence with Thracians and other irregulars, by whom the Roman army was attended. Some of these he corrupted; and, when he had drawn his enemy into a difficult situation, and prepared his plan for execution, he suddenly advanced in the night; and the avenues to the Roman station being occupied, as he expected, by the Thracians and Ligurians whom he had corrupted, and by whom he was suffered to pass, he surprised the legions in their camp; and drove them from thence in great confusion to a neighbouring height, where they enjoyed, during the night, some respite from the attacks of the enemy; but without any resource for subsistence, or hopes of recovering their baggage.

In the morning Jugurtha desired to confer with the Prætor; and representing how much the Romans, deprived of their provision and equipage, were then in his power, made a merit of offering them quarter, on condition that they would con-

clude a treaty of peace, and in ten days evacuate his kingdom.

These terms were accordingly accepted: but the capitulation, when known at Rome, gave occasion to much indignation and clamour. It was voted by the Senate not to be binding, and the Consul Albinus, in order to repair the loss of the Public, and to restore the credit of his own family, made hasty levies, with which he proposed to renew the war in Numidia. But not having the consent of the Tribunes to this measure, he was obliged to leave his forces behind him in Italy, and joined the army in person without being able to bring any reinforcement. He found it in no condition to face the enemy, and was contented to remain inactive until a successor should be named in the province.

U. C. 644. Q. Cæcilius Metellus Numidicus, M. Junius Silanus.

Resentment of the disgraces incurred in Numidia, and fear of invasion from the Cimbri, who, having traversed Spain and Gaul, were still on their march, appear to have calmed for a little time the animosity of domestic factions at Rome. The consular elections were suffered to proceed; and the choice of the People falling on Quintus Cæcilius Metellus and M. Junius Silanus, the first was appointed to the command of the army in Numidia, the second to observe the motions of the Cimbri on the frontiers of Gaul, and to turn them aside, if possible, from the territory of Rome. About this time those wandering nations had sent a formal message to the Romans, desiring to have it

understood on what lands they might settle *, or rather, over what lands they might pass, in migration with their families and herds. No return being made to this application by the Senate, they continued to wander, and opening their passage by force, overcame in battle the Consul Silanus, and, probably without intending to retain any conquest, passed on their way wherever the aspect of the country tempted their choice.

Metellus proceeded to Africa with a considerable reinforcement; and, having spent some time in restoring the discipline of the army which had been greatly neglected, and in training his new levies to the duties and hardships of the service, he directed his march to the enemy's country, and in his way had frequent messages from the king of Numidia, with professions of submission and of a pacific disposition: So much, that when the Roman army entered on the territory of this prince, they found the country every where prepared to receive them in a friendly manner; the people in tranquillity, the gates of every city left open, and the markets ready to supply them with necessaries.

These appearances, with the known character of Jugurtha, creating distrust, only excited the vigilance of Metellus. They even provoked him to retort on the Numidian his own insidious arts. He accordingly tampered with Bomilcar and the other messengers of Jugurtha to betray their master, and promised them great rewards if they would deliver

* Florus, lib. iii. Liv. lib. lxv.

this offender into the hands of the Romans either living or dead.

Jugurtha, not considering that his own character for falsehood must have destroyed the credit of all his own professions, even if he should at any time think proper to make them sincere, and trusting to the effect of his submissive messages in rendering the enemy secure, made a disposition to profit by any errors they should commit, and hoped to circumvent and destroy them on their march. For this purpose he waited for them on the descents of a high mountain, over which they were to pass in their way to the Muthul, a river which helped to form the situation of which he was to avail himself. He accordingly lay concealed by its banks until the enemy actually fell into the snare he had laid for them. And although the effect was not answerable to his hopes, he maintained, during the greater part of a day, with the advantage of ground and of numbers, a contest with troops who possessed, against his irregulars, a great superiority of order, discipline, and courage; but not having found the Romans, as he expected, in any degree off their guard, he was, in the event of that day's action, obliged to depart with a few horse to a remote or interior part of his kingdom.

This victory obtained over Jugurtha, appeared to be an end of the war. His army was dispersed, and he was left with a few horsemen, who attended his person, to find a place of retreat, or to choose a new station at which to re-assemble his forces, if he meant to continue the war.

The Numidians were inured to action. The frequent wars of that continent, the wild and unsettled state of their own country, made the use of horses and of arms familiar to them: but so void was the nation of military policy, and its people so unaccustomed to any permanent order, that it was scarcely possible for the king to fight two battles with the same army. If victorious, they withdrew with their plunder; if defeated, they supposed all military obligations at an end; and in either case, after an action, every one fled where he expected to be soonest in safety, or most at liberty to avail himself of the spoil he had gained.

Metellus, after the late engagement, finding no enemy in the field, was for some time uncertain to what part of the kingdom Jugurtha had directed his flight. But having intelligence that he was in a new situation assembling an army, and likely to form one still more numerous than any he had yet brought into the field, tired of pursuing an enemy on whom defeats had so little effect, he turned away to the richer and more cultivated parts of the kingdom. Here the plunder of the country might better repay his labour, and the king, if he ventured to defend his own territory, might more sensibly feel his defeats. Jugurtha perceiving this intention of the Roman general, drew the forces he had assembled towards the same quarter, and soon appeared in his rear.

While Metellus was endeavouring to force the city of Zama, Jugurtha assaulted his camp, and, though repulsed from thence, took a post, by which

he made the situation of the Romans between the town on one side, and the Numidian army on the other, so uneasy, as to oblige them to raise the siege.

This the Numidian prince thought a proper opportunity to gain some credit to his pacific professions. He made an offer accordingly to surrender at discretion, and actually delivered up great part of his arms and military stores; but this purpose, if ever sincere, he soon retracted, and again had recourse to arms.

The victory which had been obtained in Africa flattered the vanity of the Roman People, and procured to Metellus, in the quality of Proconsul, a continuation of his former command. The troops he had posted in Vacca being cut off by the inhabitants, he made hasty marches in the night, surprised the place, and, without having allowed the authors of that outrage more than two days to enjoy the fruits of their perfidy, amply revenged the wrong they had done to the Roman garrison.

U. C. 645. Servius Sulpicius Galba, Q. Hortensius Nepos, Marcus Aurelius Scaurus.

But the success of Metellus did not hasten the ruin of Jugurtha so much as his own misconduct, in the jealous and sanguinary measures which he now took to suppress plots and conspiracies either real or supposed to be formed against his life, by persons the most in his confidence.

Bomilcar, still carrying in his mind the offers which had been made to him by Metellus, and willing to have some merit with the Romans, into whose hands he and all the subjects of Jugurtha were likely soon to fall, formed a design against his master,

and drew Nabdalsa, a principal officer in the Numidian armies, to take part in the plot. They were discovered in time to prevent the execution of their design, but they made Jugurtha from thenceforward consider the camp of his own army as a place of danger to himself, rendered him distrustful, timorous, and unquiet; frequently changing his company and his quarters, his guards and his bed. Under these apprehensions, by which his mind was considerably disordered and weakened, he endeavoured, by continual and rapid motions, to make it uncertain where he should be found; and he experienced at last, that private assassination and breach of faith, although they appear to abridge the toils of ambition, are not expedient even in war; that they render human life itself, for the advantages of which war is undertaken, no longer eligible or worthy of being preserved. Weary of his anxious state, he ventured once more to face Metellus in the field, and being again defeated, fled to Thala, where he had left his children and the most valuable part of his treasure. This city too, finding Metellus had followed him, he was obliged to abandon, and, with his children and his remaining effects, fled from Numidia, first to the country of the Getuli, barbarous nations that lived among the mountains of Atlas, south of Numidia, and whom he endeavoured to arm in his cause. From thence he fled to Bocchus king of Mauritania, whose daughter he had married; and having persuaded this prince to consider his quarrel with the Romans as the common cause of all monarchies, who were likely in succession to become the prey of this arrogant and in-

satiable power, he prevailed on the king of Mauritania to assemble an army, and to attempt the relief of Numidia.

Jugurtha, in conjunction with his new ally, directed his march to Cirta, and the Roman general perceiving his intention, took post to cover that place. But while he was endeavouring, by threats or persuasions, to detach the king of Mauritania from Jugurtha, he received information from Rome, that he himself was superseded in the command of the army; and from thenceforward, under pretence of messages and negotiations that were passing between the parties, protracted the war, and possibly inclined to leave it with all its difficulties entire to his successor. His dismission was the more galling to himself, that it was obtained in favour of Caius Marius, who, having served under him in this war, had with great difficulty, and not without some expression of scorn on the part of his general, obtained leave to depart for Rome, where he meant to stand for the Consulship. He accordingly appeared in the capacity of candidate for this honour, and by vaunting, instead of concealing, the obscurity of his birth; by inveighing against the whole order of Nobility, their dress, their city manners, their Greek learning, their family images, the stress they laid on the virtue of their ancestors to compensate the want of it in themselves, but more especially by arraigning the dilatory conduct of Metellus, and by promising a speedy issue to the war, if it should be intrusted to himself, a promise, to which the force and ability he had shewn in all the stations he had hitherto filled,

procured him much credit; he so far won upon the People, that, in opposition to the interest of the Nobles, and to the influence of all the leading men of the Senate, he prevailed in the election. His promotion was in a particular manner offensive to Metellus, whose reputation he had attacked, and to whom, by an express order of the People, in contempt of a different arrangement made by the Senate, he was now to succeed.

U. C. 646. L. Cassius Longinus, C. Marius.

Upon the nomination of Marius, the party who had opposed his preferment, did not attempt to withhold the reinforcements which he asked for the service in which he was to command. They even hoped to increase his difficulties, by suffering him to augment the military establishment of his province. The wealthier or more respectable class of the People alone were yet admitted into the legions; and being averse to such distant services, were likely to conceive a dislike to the persons by whom they were dragged from home. Marius, therefore, in making his levies, his opponents supposed, might lose some part of the popular favour which he now enjoyed, and become less formidable to his rivals in the State. But this crafty and daring adventurer, by slighting the laws which excluded the necessitous citizens from serving in the legions, found in this class of the People a numerous and willing recruit. They crowded to his standard, and filled up his army without delay, and even without offence to those of a better condition, who were pleased with the relief they obtained from this part of their public burdens.

This circumstance is quoted as a remarkable and dangerous innovation in the Roman State, and is frequently mentioned among the steps which hastened its ruin. The example, no doubt, with its consequences, may instruct nations to distinguish the military operations required at a distance, from the more important object of preservation and home-defence; so that in declining the distant service, the more respectable orders of the People may not think it necessary to abandon themselves to depredation at home. In the first ages of Rome, the citizens in political convention were styled the Army of their Country, and such in every age is the army in whose hands the freedom of nations is secure. From the date of these levies at Rome, the sword began to pass from the hands of those who were interested in the preservation of the republic, into the hands of others who were willing to make it a prey. The circumstances of the times were such, indeed, as to give warning of the change. The service of a legionary soldier abroad, was become too severe for those of the People who could live at their ease, and it now opened to the necessitous a principal road to profit as well as honour. Marius, to facilitate his levies, was willing to gratify both; and thus gave beginning to the formation of armies who were ready to fight for or against the laws of their country, and who, in the sequel, substituted battles in the streets of Rome, for the bloodless contests which, in the early ages of Rome, had arisen from the divisions of party.

The new Consul, unrivalled in the favour of the People, obtained whatever he required; and, being

completely provided for the service to which he was destined, embarked for Africa, and, with a great reinforcement, in a few days arrived at Utica. Upon his arrival, the operations of the war were resumed, and carried into the wealthiest provinces of Numidia, where he encouraged his army with the hopes of spoil. The new levies, though composed of persons hitherto untrained, and even excluded from the military service, were formed by the example of the legions already in the field, and who were now well apprised of their own superiority to the African armies. Bocchus and Jugurtha, upon the approach of this enemy, thought proper to separate, and took different routes into places of safety in the more difficult and inaccessible parts of the country.

This separation was made at the suggestion of Jugurtha, who alleged, that, upon their appearing to despair, and to discontinue all offensive operations, the Roman general would become more secure, and more open to surprise. But Marius, without abating his vigilance, pressed where the enemy gave way, overran the country, and took possession of the towns they had left. To rival the glory which Metellus had gained in the reduction of Thala, he ventured on a like enterprise, in the face of similar difficulties, by attacking Thapsa, a place surrounded with desarts, and in the midst of a land destitute of water, and of every resource for an army. Having succeeded in this design, he ventured, in his return, to attack another fortress, in which, the place being supposed impregnable, the royal treasures were lodged. This stronghold was placed on a

rock, which was every where, except at one path that was fortified with ramparts and towers, faced with steep and inaccessible cliffs. The garrison permitted the first approaches of the Romans with perfect security, and even derision. After some fruitless attacks, Marius, under some imputation of folly in having made the attempt, was about to desist from the enterprise, when a Ligurian, who had been used to pick snails on the cliffs over which this fortress was situated, found himself, in search of his prey, and by the growing facility of the ascent, led to a height from which he began to have hopes of reaching the summit. He accordingly surmounted all the difficulties in his way; and the garrison being then intent on the opposite side of the fortress to which the attack was directed, he returned unobserved. This intelligence he carried to Marius, and undertook to be the guide of a detachment of chosen men, with an unusual number of trumpets and instruments of alarm, who were ordered to follow his directions. Marius himself, to divert the attention of the besieged, and, on receiving a signal agreed upon from within, to be ready to make a vigorous and decisive assault, advanced to the walls. The Ligurian proceeded, though with much difficulty, to fulfil the expectations he had given. The soldiers who followed him were obliged to untie their sandals and their helmets, to sling their shields and their swords, and, at difficult parts of the rock, could not be persuaded to advance until their guide had repeatedly passed and repassed in their sight, or had found stumps and points of the stone at which they

could fasten ropes to aid their ascent. The summit was to be gained at last by climbing a tree, which, being rooted in a clift of the rock, grew up to the edge of the precipice. By the trunk of this tree the whole party passed, and, being as high as its branches could carry them, landed at last on the summit. They instantly sounded their trumpets, and gave a sudden alarm. The besieged, who had been drawn to an opposite part of the walls to resist the enemy who there menaced an attack, were astonished with this sound in their rear, and soon after, greatly terrified with the confused flight from behind them of women, children, and men unarmed, and being at the same time vigorously pressed at their gates, were no longer able to resist, suffered the Romans to force their way at this entrance, and in the end to become masters of the fort.

While Marius was engaged in the siege of this place, he was joined by the Quæstor Sylla, who had been left in Italy to bring up the cavalry, which were not ready to embark at the departure of the Consul. This young man was a Patrician, but of a family which had not, for some generations, borne any of the higher offices of State. He himself partook in the learning which then spread into Italy, from a communication with the Greeks, and had passed the early part of his life in town-dissipation or in literary studies, of which the last, though coming into fashion at this time at Rome, was considered as a species of corruption almost equal to the first. He was yet a novice in war, but having an enterprising genius, soon became an object of re-

spect to the soldiers, and of jealousy to his general, with whom he now laid the foundation of a quarrel still more fatal to the commonwealth than that which had subsisted between the present and preceding commander in this service.

The king of Numidia, stung by the sense of what he had already lost, and expecting no advantage from any further delays, determined, in conjunction with his ally, to make a vigorous effort, and to oblige Marius, who was then moving towards his winter-quarters, yet to hazard a battle for the preservation of what he had acquired in the preceding campaign. The king of Mauritania, upon the late events of the war, had been inclined to return to his neutrality, or to enter on a separate treaty with the Romans; but being promised a third part of the kingdom of Numidia, in case the enemy were expelled from thence, or if the war should be otherwise brought to a happy conclusion, he once more advanced with his army, and joined Jugurtha.

The prosperous state of the Romans, undisturbed for some time by any opposition from an enemy in the field, inspired them with some degree of negligence or security, by which they were exposed to surprise. Near the close of a careless march, and about an hour before the setting of the sun, they found themselves entering among scattered parties, who, without any settled order, increased in their numbers, occupied the fields through which the Romans were to pass, and seemed to intend, by assailing them on every side, to begin the night with a scene of confusion, of which they might afterwards

more effectually avail themselves in the dark. In an action begun under these disadvantages, Jugurtha flattered himself, that the Roman army might be entirely defeated, or, in a country with which they were not acquainted, and in circumstances for which they were not at all prepared, being unable to effect a retreat, be obliged to surrender at discretion.

The king, with his usual intrepidity and conduct, profited by every circumstance which presented itself in his favour. He brought the troops of which his army was composed, whether Getulians or Numidians, horse or foot, to harass the enemy in their different ways of fighting, and wherever they could most easily make their attacks. Where a party was repulsed, he took care to replace it; and sometimes affected to remit his ardour, or to flee with every appearance of panic, in order to tempt the Romans to break from their ranks. Marius, notwithstanding, with great dexterity and presence of mind, maintained the form of his march; and, before night, got possession of some heights on which he could rest with safety. He himself, with the infantry, chose that which had the steepest ascent, and ordered Sylla, with the cavalry, to take his post on a smaller and more accessible eminence below. That his position might not be known to the enemy, he prohibited the lighting of fires, and the usual sounding of trumpets at the different watches of the night. The Numidians had halted on the plain where night overtook them, and were observed, at break of day, reposing in great security, and without any seeming apprehension of danger from an

enemy, who was supposed to be flying, and who, on the preceding day, had, with some difficulty, escaped from their hands. In this situation, Marius resolved to attack them, and gave orders, which were passed through the ranks, that, at a general sound of the trumpets, every man should stand to his arms, and with a great shout, and beating on his shield, make an impetuous assault on the enemy. The design, accordingly, succeeded. The Numidians, who on former occasions had often affected to flee, were driven into an actual rout. Great numbers fell in the flight, and many ensigns and trophies were taken.

After this victory, Marius, with his usual precautions, and though it might be supposed that the enemy were dispersed, without remitting his vigilance, directed his march to the towns on the coast, where he intended to fix his quarters for the winter. Jugurtha, well apprized of his route, proposed again to surprise him before he should reach the end of his journey; and, for this purpose, avoided giving him any premature or unnecessary cause of alarm. He deferred his attack until the Roman army was arrived in the neighbourhood of Cirta, supposed to be the end of their labours, and near to which it was probable they would think themselves secure from any further attempts of their enemy. In the execution of this design, he, with the greatest ability, conducted his troops to the place of action, and there too made every effort of conduct and resolution. But the match being unequal, he was obliged to give up the contest; and, with his sword and his ar-

mour all bathed in blood, and almost alone, is said to have left a field, in which, for the first time, he had taken no precautions for re-assembling an army, and on which his Numidians were accordingly routed, in appearance, to rally no more.

U. C. 647. C. Attilius Serranus, Quintus Servilius Cæpio.

Upon these repeated defeats, Bocchus despaired of the fortunes of Jugurtha, and sent a deputation to Marius, requesting a conference with himself, or with some of his officers. He obtained an interview with Sylla and Manlius; but, upon their arrival, had taken no fixed resolution, and was still kept in suspense, by the persuasion of those of his court who favoured the interest of Jugurtha. Marius, being continued in his command, resumed the operations of the war, and was about to attack the only place which yet remained in the hands of the enemy; when the king of Mauritania, alarmed by this circumstance, took his resolution to sue for peace. He sent a deputation of five chosen persons, first to the quarters of Marius, and, with this general's permission, ordered them to proceed from thence to Rome. These deputies being admitted into the Senate, made offers of friendship in the name of their master; but were informed, in return, that he must give proofs of his friendly disposition to the Romans, before they could rely on his professions, or listen to any terms of peace. When this answer was reported to Bocchus, he was not at a loss to understand that the Romans wished him to deliver up the king of Numidia into their hands; and seems to have conceived the design of purchasing peace, even on

these terms. Sylla being already personally known to him, he made choice of this officer, as the person with whom he would treat, and desired he might be sent to his quarters. The Roman Quæstor accordingly set out with a small party. On the way he was met by Volux, the son of the king of Mauritania, with a thousand horse: him he considered as of doubtful intention, whether destined to act as a friend or an enemy; but coming with professions of friendship from the king his father, and with orders to escort the Roman Quæstor, they proceeded together. On the second day after this junction, Volux came in haste to the quarters of Sylla, and informed him, that the advanced party had discovered Jugurtha posted on their route, with numbers through which they might not be able to force their way, and earnestly pressed the Roman officer to endeavour his own escape in the night.

Sylla could no longer disguise his suspicions, and, sensible that he had imprudently, without hostage or other security, ventured too far on the faith of an African prince, proudly refused to alter his march; desired that the Mauritanian prince, if he thought proper, should depart; but informing him, at the same time, that the Roman people would know how to avenge so public an insult, and would not fail to punish the perfidy of the King his father. Volux, in return, made strong protestations of innocence; and as the Roman Quæstor could not be prevailed on to save himself by flight, this prince insisted to remain, and to share in his danger. They accordingly kept on their way, passed in the view of Ju-

gurtha with his party, who, though disposed to offer violence to the Romans, had yet some measures to preserve with the king of Mauritania, whose son was in company; and thus while, contrary to his usual character, he remained undecided, the prey escaped him, or got out of his reach.

Jugurtha sent persons of confidence immediately to counteract the negotiations of Sylla at the court of Bocchus; and each of these parties solicited the king of Mauritania to betray the other. The Numidians endeavoured to persuade him, that, with such an hostage as Sylla in his hands, he might still expect some honourable terms from the Romans; and Sylla, on the other part, represented, that, as the king of Mauritania had offended the Romans, by abetting the crimes of Jugurtha, he must now expiate his guilt by delivering him over to justice. It was the inclination of this prince to favour his Numidian ally; but it was his interest, as well as his intention, to gain the Romans. While he was still in suspense, he gave equal encouragement to both parties; and, without being finally determined what he should do, appointed the Roman Quæstor and the King of Numidia to meet him without any escort, or number of men in arms on either side, reserving, for himself, to the last moment, the power of determining against the one or the other. By the time, however, that the parties were met, he had taken his resolution, had placed a body of his own troops in ambush, and, before any conference took place, gave a signal, which his men understood to be for seizing Jugurtha. The Numidians, who attended their

king, were slain; he himself was put in chains, and delivered up to the Roman Quæstor. Sylla, with the exultation of a successful hunter, received this lion in his toils; and, though he lived to perform much greater actions, still appears to have valued himself most on the event of this transaction. He boasted so much of his prize, that he became, from that moment, an object of jealousy to Marius, and was considered as a person advancing too fast in the same career of renown *. It was understood among the Romans, that the commander in chief, upon any service, in any division or province of the empire, enjoyed the triumph for victories gained, even in his own absence, by his lieutenants, or by those who served under his command; and Marius probably thought that Sylla took more to himself than was due upon this occasion. The desire of being the person who put the finishing hand to any matter of great public concern, however accomplished, was not peculiar to these officers. It was an effect of the Roman policy in making the rewards of distinction depend so much on events, without regard to the means which were employed to produce them: A circumstance, from which the citizens of this republic were as desirous of having the reputation of successful adventures affixed to their names, as courtiers in modern Europe are desirous of titles, or covet badges of honour and marks of their sovereign's favour.

The war being thus at an end, Marius appointed

* Plutarch. in Mario et in Sylla.

a thanksgiving; and, while he was offering the customary sacrifices, the news arrived from Rome that the People had dispensed with the law in his favour, and again had elected him Consul for the following year. This choice was determined by the great alarm which the Romans had taken on the approach of the barbarous nations, who, like a meteor, had, for some years, traversed the regions of Europe, and, with uncertain direction, were said to destroy whereever they moved. The Romans had repeatedly stood in their way, and had provoked a resentment, which these barbarians were supposed, in haste, to wreak upon Italy. They were at first heard of under the name only of Cimbri; but were now known to consist of many nations, under the appellations of Ambrones, Teutones, Tectosagi, and others; and had gained accessions of force by the junction of the Tigurini, and other Gaulish nations, who, either by choice or compulsion, were made a part in this mighty host, whose movements the Romans considered as now chiefly directed against themselves.

Besides the armies commanded by the Consuls Carbo and Silanus, which had fallen victims to this barbarous enemy, other considerable bodies, under Scaurus and Cassius, had perished by their hands; and other misfortunes from the same quarter were coming apace. At the time that Marius had finished the war with Jugurtha, Quintus Servius Cæpio, having the former year commanded in Gaul, where he destroyed or pillaged the city of Tolosa, and made a great booty, consisting, according to Justin, of one hundred thousand pounds

U. C. 648. P. Rutilius Rufus, Cn. Mallius.

weight of gold, and one million five hundred thousand pounds weight of silver, was now, in his turn, to meet with this torrent of wandering nations; the Consul Mallius or Manilius had orders to join him; and all the troops they could assemble were but too few to withstand such an enemy. These generals united their forces on the Rhône, but without a proper disposition to act in concert; they were accordingly defeated in battle; eighty thousand Romans, amongst whom were the two sons of the Consul Manilius, were killed in the action; forty thousand attendants of the army were massacred in cold blood. Both camps were taken.

After this victory, the lords of the Cimbri, being assembled in council, called before them Aurelius Scaurus, formerly a Roman Consul, lately second in command over one of their vanquished armies, and now a prisoner. They questioned him with respect to the forces in Italy, and the route to be taken across the Alps: To these questions he made answer, That it would be in vain for them to invade that country: that the Romans, on their own territory, were invincible. And, in return to these words, it is said, that a Barbarian struck the prisoner with his dagger to the heart. It is further said of this barbarous council, that they came to a resolution to spare no prisoners, to destroy the spoils of the slain, to cast all the treasures of gold and silver into the nearest river, to destroy all horses with their saddles and furniture, and to save no booty whatever. It must be confessed, that in this, their resolutions were guided by a policy well accommodated to the

manner of life they had chosen. Wealthy possessions frequently disqualify even settled nations for the toils of war, but to hordes in continual migration, the accommodations of luxury and sloth would be certain impediments, and the means of ruin *.

These accounts of impending enemies, and of the disasters which befell the Roman armies which ventured to encounter them, were received at Rome with amazement and terror. The citizens changed their dress, and assumed the military habit. Rutilius, the Consul, who had remained in the administration of affairs in Italy, had instructions from the Senate to array every person that was fit to bear arms. No one who had attained the military age was exempted. It is mentioned, that the son of the Consul himself was turned into the ranks of a legion. There was little time to train such levies; and the usual way was thought insufficient. The fencing-masters, employed to train gladiators for the public shews, were brought forth, and distributed to instruct the citizens in the use of their weapons †. But the expedient, on which the People chiefly relied for deliverance from the dangers which threatened them, was the repeated nomination of Marius to command against this terrible enemy.

This officer, upon hearing of his re-election, set out for Italy, and, with his legions and their captives, made his entrance at Rome in triumph; a spectacle, of which Jugurtha, in chains, with his unfortunate children, were the principal figures. When the procession was over, the captive king was led to a dun-

* Orosius, lib. v, c. 16. Eutrop. lib. v. † Valer. Max. lib. ii, c. 3.

geon, under orders for his immediate execution. As he was about to be stripped of his ornaments and robes, the executioner, in haste to pluck the pendants from his ears, tore away the flesh, and thrust him naked into a circular aperture into which he descended with a smile, saying, "What a cold bath "is here?" He pined about six days under ground, and expired. A king and an able commander would, in such a situation, have been an object of pity, if we did not recollect that he was the murderer of Adherbal and Hiempsal, the innocent children of his benefactor; and if we did not receive some consolation from being told, that his own children, who were likewise innocent, were exempted from the lot of their father, and honourably entertained in Italy.

Marius, in his triumph, is said to have brought into the treasury three thousand and seven pounds, or thirty thousand and seventy ounces of gold, and fifty-seven thousand seven hundred and fifty ounces of silver; and in money, two hundred and eighty-seven thousand denarii*. He entered the Senate, contrary to custom, in his triumphal robes, probably to insult the Nobles, who used to despise him as a person of obscure extraction, born in a country town, and of a mean family: but finding that this was considered as an act of petulance, and generally condemned, he withdrew and changed his dress.

The kingdom of Numidia was dismembered; part was put into the possession of Bocchus as a reward for his late services; and part reserved for the surviving heirs of Massinissa.

* About L. 10,000.

As the law respecting the Consulate now stood, no one could be elected in absence, nor re-elected into this office till after an interval of ten years. Both clauses were dispensed with in favour of Marius, under pretence of continuing him at the head of the army; but as he might still have remained in his station, and have rendered the same services to the State in the quality of Proconsul, his re-election may be ascribed to his own ambition, and to his jealousy of other rising men in the State. Being reputed head of the popular party, his personal elevation was an object of zeal to the Tribunes of the People, and was intended to mortify those who affected the distinctions of ancient family. Contrary to the usual form, and without casting lots for the assignation of his province, he was preferred to his colleague in the appointment to command in Gaul. Having his choice of all the armies at that time in Italy, he took the new levies, lately assembled and disciplined by Rutilius, in preference to the veterans, who had served in Africa under Metellus and himself. It is probable that he was determined in this choice, more by his desire to gratify the veterans, who wished to be discharged, in order to enjoy the fruits of their labours, than by the consideration of any supposed superiority in the discipline to which the new levies had been trained *.

U. C. 649. Consuls, C. Marius 2do, C. Flavius Fimbria.

Upon the arrival of Marius in the province, it appeared, that the alarm taken for the safety of Italy

* Frontinus de Stragemat. lib. iv, c. 6.

was somewhat premature. The Barbarians in their battles only meant to maintain the reputation of their valour, or to keep open the track of their migrations. They had found the lands from about the higher parts of the Danube and the Rhine, through Gaul and across the Pyrenees into Spain and to the Ocean, convenient for their purpose, and sufficiently extensive. They had not yet meditated any war with the Romans, or other nation in particular; but did not decline any contest where they met with resistance. At present they continued their migrations to the westward, without attempting to cross the Alps, or seeming to have knowledge of nations who inhabited the peninsula of Italy within those mountains.

We have nothing recorded in history concerning the movements of these wandering hordes, during the two subsequent years, except what is related of their adventure with Fulvius, a Roman Prætor, probably in Spain, who, in return for hostilities committed in his province, having made a feint to draw the attention of their warriors elsewhere, surprised and sacked their camp. Under the apprehension, however, of their return towards Gaul and Italy, Marius continued to be elected Consul, and was repeatedly named to the command of the army that was destined to oppose them. His party at Rome had, at this time, besides the exigency which justified their choice of such a leader, many other advantages against their antagonists, and maintained the usual contest of envy in the lower people against the pride of nobility with great animosity and zeal.

CHAP. XII.

Review of the circumstances which revived the popular party at Rome.—Further accounts of laws and regulations under the administration of this party.—State of the empire.—Fourth consulate of Marius.—Continued migrations of the barbarous nations.—Defeated by Marius at Aquæ Sextiæ.—By Marius and Catulus in Italy.

THE Senate had, for some time after the suppression of the troubles which were raised by Fulvius and the younger Gracchus, retained its authority, and restrained the Tribunes of the People within ordinary bounds; but by the miscarriages of the war in Numidia, and the suspicions which arose against them, on the subject of their transactions with Jugurtha, they again lost their advantage. It is difficult to ascertain the real grounds of these suspicions. Sallust seems to admit them in their utmost extent, and represents the whole order of nobility as mercenary traders, disposed to sell what the Republic intrusted to their honour. That the presents of Jugurtha were sometimes accepted, and had their effect, is not to be doubted; but that the aristocracy of Rome, during its temporary ascendant, was so much corrupted, as the relation of this historian implies, is scarcely to be credited. Such a measure

of corruption must have rendered the State a prey to every rival that was in condition to mislead its councils, and is not consistent with that superiority which the Romans then generally possessed in their negotiations, as well as in their wars. The charge itself savours too much of that envy with which the lower class of the People at all times interpret the conduct of their superiors, and which, at the time when Sallust wrote his history, was greatly countenanced by the partisans of Cæsar, in order to vilify and traduce the Senate. We cannot, however, oppose mere conjecture to the positive testimony of Sallust, corroborated by some suspicious circumstances in the transactions of the times. Among these we may recollect the patronage which Jugurtha met with at Rome, contrary to the general sense of the People, and the uncommon presumption of guilt implied in the degradation of so many members as were about the same time, by the authority of the Censors, Q. Cæcilius Metellus and Cn. Domitius Ahenobarbus *, expelled from the Senate.

Whatever may have been the real occasion of the cry then subsisting against the Nobles, we have seen that the popular party, availing themselves of it, and giving it all manner of countenance, found means to recover great part of the power they had formerly lost. The Tribunes, having obtained the establishment of a special commission for the trial of those who had received any bribes from Jugurtha,

* It is already mentioned, that thirty-two Senators were struck off the rolls by these magistrates. Epitom. Liv. lib. 62.

the people mistook their own act in constituting a court of inquiry, as sufficient to evince the reality of the crime. The prosecutions which continued to be carried on for two years, upon this supposition, served more than the subject of any former dispute to exasperate and to alienate the minds of men from each other, and from the public. Questions were more of a private than of a public nature; and occupied the worst of the human passions, envy, malice, and revenge. One party learned to cherish falsehood, subornation, and perjury; the other lived in continual and degrading fear of having such engines employed against themselves.

The People, in their zeal to attack the Nobility under any pretence, made no distinction between errors and crimes; and, contrary to the noble spirit of their ancestors, treated misfortune, incapacity, and treachery, with equal rigour. One Tribune had extended the use of the secret ballot in giving judgment on certain offences or misdemeanors *; another, upon this occasion, took away all distinctions, or introduced the same cover of secrecy in the trial of capital crimes †: insomuch, that a judge draughted from among the parties then at variance, could, without being accountable, indulge his malice or partial favour, so as to affect the life as well as the honour of a fellow citizen ‡, to whom he bore any spite.

---

* Lex Cassia Tabellaria. † Lex Cælia Tabellaria.

‡ Cicer. de Legibus, lib. iii.

Laws were made to promote the interest, as well as to gratify the animosity, of the lower people. By the Agrarian law of Gracchus, no one could possess above a certain measure in land; but in order to render the surplus of property to be surrendered immediately useful to the People, it was permitted, by an amendment of the law made during the low state of the aristocratical party, that persons holding more than the legal measure, might retain their possession, but subject to a rent to be collected for the benefit of the poorer citizens; and thus it was provided, that without discontinuing the practice of faction, or removing into what was considered as a species of exile in the country, the favourites of the party should be accommodated, and reap the fruits of sedition and idleness, while they continued to pursue the same course of life in the city *.

U. C. 647. Lex Servilia de Judiciis.

It was proposed, by the Consul Servilius Cæpio, that the Senate, whose members were personally so much exposed to prosecutions, should have their share likewise in composing the courts of justice, a privilege of which, by the edict of Gracchus, they had been deprived †. In whatever degree this proposal was adopted, it was again expressly rejected upon the motion of Servilius Glaucia. And Cæpio soon after experienced, in his own person, the animosity of the popular faction: Being tried for miscarriage in his battle with the Cimbri, he was condemned by the judges, and afterwards, by a separate act obtained by Cassius,

* Appian. de Bell. Civ. lib. i. † Valer. Max. lib. v, c. 9.

one of the Tribunes, declared, in consequence of that sentence, disqualified to hold a place in the Senate *.

Besides the transactions already mentioned, the following particulars, overlooked in the hurry of recording military operations and events, may serve still further to characterise the times. M. Junius Silanus was tried for misconduct against the enemy; M. Emilius Scaurus, first on the roll of the Senate, was brought to trial for contempt of religion; but both acquitted. The ardour for these prosecutions and popular regulations, continued without abatement, until the second Consulate of Marius, when M. Marcius Philippus, one of the Tribunes, moved to revive the law of Tiberius Gracchus respecting the division of estates in land, which, from this circumstance, should appear had never been executed; and, in his speech to support this motion, affirmed, that there were not then two thousand families in Rome possessed of any property in land whatever †. This motion, however, was withdrawn.

Among the crimes which the populace were now so eager to punish, fortunately that of peculation or extortion in the provinces was one. To facilitate complaints on this subject, not only persons having an immediate interest in the case, but all to whom any money or effects injuriously taken might have otherwise come by inheritance, were entitled to prosecute for this offence: and any alien, who convict-

* Asconius Pædianus in Corneliana Ciceronis.

† Cicero de Officiis, lib. ii.

ed a Roman citizen of this crime, so as to have him struck off the rolls of the People, was entitled himself to be enrolled instead of the citizen displaced *.

Domitius, one of the Tribunes, attacked the aristocratical constitution even of the priesthood, and endeavoured to transfer the right of election to vacant places from the order itself to the People; but superstition, which often continues to influence the bulk of mankind after reason has failed, here stood in his way. The Custom was against him; and in such matters, religion and custom are the same. The People, therefore, it was confessed by the mover of this reform, could not without profanation pretend to elect a priest; but a certain part of the People might judge of the candidates, and instruct the college itself in the choice to be made †. The same artifice, or verbal evasion, had been already admitted in the form of electing the Pontifex Maximus, presented to the order, not by the People at large, but by seventeen of the Tribes who were drawn by lot ‡.

Lex Domitia de Sacerdotiis.

During this period, a charge of depravity, worse than that which was brought against those who were employed in the State, might with equal justice be directed against those who were loudest in raising the cry of corruption; for liberty, on the part of the populace, was conceived to imply a freedom from every restraint, and to justify licence and contempt of the laws. The gratuitous aids which were given

* Cicero in Balbiana. † Asconius in Corneliana Ciceronis.
‡ Cicero de Lege Agraria.

to the People, enabled them to subsist in idleness and sloth; the wealth that was passing to Rome in the hands of traders, contractors, and farmers of the revenue, was spent in profusion. That which was acquired by officers in one station of command in the provinces, was lavished in public shews, in the baiting of wild beasts and fights of gladiators, to gain the people in the canvass for further preferments: And from all these circumstances we may conclude, that if there be reason to regret or detest the abuses incident to monarchy, and the luxury of courts, there is surely no less in the brutal taste and dissolute manners incident to a populace, acknowledged in democracy the sovereign or supreme disposer of preferments and honours.

The severities which were practised in certain cases, the sumptuary laws which were provided to restrain dissipation, were but feeble aids to stop up the source of so much disorder. It is mentioned, as an instance of severity which the times required, that some vestals were questioned for a breach of that sacred obligation to chastity, under which they were held up as a pattern of manners to the sex at Rome; that three of them were condemned, and, together with so many Roman knights, the supposed partners in their guilt, suffered extreme punishment; but no two things are more consistent than superstition and vice. A temple was on this occasion erected to the goddess Venus, under what may to us appear a new title, that of the Reformer *; prayers

* Venus Verticordia.

were to be offered up in this temple, that it might please the goddess of Love to guard the chastity of Roman women *. And from this we may apprehend, that the devotions paid to this deity were in some instances of a purer kind than we are apt to imagine.

The term luxury is somewhat ambiguous; it is put for sensuality or excess in what relates to the uses or gratifications of animal nature; and for the effect of vanity, in what relates to the decorations of rank and fortune. The luxury of the Romans, in the present age, was probably of the former kind, and sumptuary laws were provided, not to restrain vanity, but to govern the appetites for mere debauch. About the time that Jugurtha was at Rome, the sumptuary law of Fannius received an addition, by which Roman citizens were not only restricted in their ordinary expence, but the legal quantities and species of food were distinctly prescribed. The whole expence of the table was restricted to thirty asses † a-day, and the meat to be served up, to three or four pounds, dried or salted. There was no restriction in the use of herbs or vegetables of any sort ‡. According to A. Gellius, the law permitted, on certain days, an expence of an hundred asses; on wedding-days, two hundred. It is remarkable, that this law continued to have its effect on the tables of Roman citizens after Cicero was a man ||. The Epicures of

---

*. Orosius, lib. v, c. 15. Jul. Obsequens. Ovid. Fast. lib. v.

† About two shillings. ‡ Macrobius Satur. lib, ii, c. 17.

|| Epist. ad Familiar. lib. vii, ad Gallum.

his time were obliged to make up, in the cookery of their vegetable diet, what was defective in that species of food.

About the time of the commencement of the Numidian war, the People, according to the Census, amounted to four hundred and three thousand four hundred and thirty-six citizens, fit to carry arms. At this time it was that the Censors, Quintus Cæcilius Metellus, and Cn. Domitius Ahenobarbus, as already mentioned, expelled thirty-two members from the Senate.

While the Romans were intent on the war which subsisted in Africa, they were not exempted from like trouble in other parts of their empire. In Spain particularly, hostilities at intervals were still renewed. There, in trying to quell a revolt of the natives, a Roman Prætor was killed; in another encounter, the forces employed against the natives were cut off; and a fresh army was transported from Italy, to secure the Roman possessions.

Hostilities were likewise continued on the frontier of Macedonia, by the Scordisci, Triballi, and other Thracian nations; and the Proconsul Rufus, by his victories in this quarter, obtained a triumph.

During this period, in the Consulship of Attilius Serranus, and Q. Servilius Cæpio, the year after the first Consulship of Marius, were born two illustrious citizens, M. Tullius Cicero, and Cneius Pompeius Strabo, afterwards distinguished by the appellation of Pompey the Great. And with the mention of these names we are now to open the scene in which persons, on whom the fate of the Roman empire

was to depend, made their several entries into life, or into public business, and in which they began to pass through an infancy or a youth of danger, to an old age of extreme trouble, which closed with the subversion of that constitution of government under which they were born.

U. C. 650. Caius Marius 3tio. L. Aurelius Orestes.

Marius having, without any memorable event, passed the year of his second Consulship, on the frontier of Narbonne Gaul, was, by the People, still under the same apprehension of the Cimbric invasion, re-elected, and destined to remain in his station. This year likewise the Barbarians, turned aside from the Roman province, and left the republic at leisure to contend with enemies of less consideration, who appeared in a different quarter. Athenio, a slave in Sicily, having murdered his master, and broken open the prisons or walled inclosures in which slaves were commonly confined at work, assembled a number together, and being himself clothed in a purple robe, with a crown and sceptre, affected a species of royalty, while he invited all the slaves of the island to assume their freedom under his protection. He acquired strength sufficient to cope with Servilius Casca, the Roman Prætor, and actually forced him in his camp. He likewise defeated the succeeding Prætor, Licinius Lucullus *; and was, in the third year of his insurrection, with great difficulty, reduced by the Consul Aquilius. This revolt was at its height in this year of the third Consulship of Marius,

* Florus, lib. iii, c. 19.

and the rebels being surrounded in their strongholds, and obliged to surrender for want of provisions, it was quelled in the second year after this Consulship *. The whole is mentioned now, that it may not recur hereafter to interrupt the series of matters more important.

About the same time the Romans had been obliged to equip a naval armament under Marcus Antonius, known by the appellation of the Orator, against the Cilician pirates, who had lately infested the seas. All that we know of this service is, in general, that it was performed with ability and success †.

From Macedonia, Calpurnius Piso reported, that the victory he had gained over the Thracians had enabled him to penetrate to the mountains of Rhodope and Caucasus.

Such was the state of the empire when Caius Marius arrived from his province in Gaul, to preside at a new election of Consuls. He was himself again, by the voice of the People, called upon to resume his trust; but he affected, with an appearance of modesty, to decline the honour. His partisans were apprized of the part he was to act, and were accordingly prepared, by their importunities, to force him into an office which he certainly did not mean to decline. Among these, Apuleius Saturninus, at this time himself candidate for the office of Tribune, charged Marius with treachery to his country in proposing to desert the republic in times of so much

* Florus, lib. iv, c. 19.

† Ibid. lib. iii, c. 6. Cicero de Orator. lib. I.

danger; and with his reproaches seemed to prevail so far as to render this favourite of the People passive to the will of his fellow-citizens, who wished to reinstate * him in his former command.

U. C. 651. Caius Marius 4to, L. Lutatius Catulus.

In this fourth Consulate, the courage and military skill of Marius came to be actually exerted in his province. The barbarous nations, after their return from Spain, began to appear in separate bodies, each forming a numerous and formidable army. In one division the Cimbri and Tectosages had passed through the whole length of Gaul to the Rhine; from thence proceeded by the Danube to Noricum or Austria, and, by the passes of Carinthia, or by the valley of Trent, might have an easy access to Italy. The Consul Lutatius Catulus was stationed on the Athesis, near the descent † of the Alps, to observe the motions of this body.

In another division, the Ambrones and the Teutones, between the Garonne and the Rhone, hung on the frontier of the Roman province, and gave out, that they meant, by another route of the mountains, to join their allies who were expected on the Po.

Upon the approach of this formidable enemy in the division to which he was opposed, Marius took post on the Rhone at the confluence of this river with the Isere, and fortified his camp in the most effectual manner. The Barbarians, reproaching him with cowardice for having taken these precautions,

* Plutarch. in Mario. † Now the Adige.

sent, agreeably to their own notions of war, a formal challenge to meet them in battle; and having had for answer, That the Romans did not consult their enemies to know when it was proper to fight, they were confirmed in their usual contempt, ventured to leave the Roman army behind, and proceeded in separate divisions to look out for a passage into Italy. Marius followed; with rapid marches, overtook them in their progress, and even dispersed over the country, without precaution or order; some of them near to the Roman colony of Sextius *, and far removed from each other. Having found them under such disadvantage, and in such condition as exposed them to slaughter, with scarcely any means of resistance, he put the greater part to the sword. Thus, one part of the hordes, who had for years been so formidable to the Romans, were now entirely cut off. Ninety thousand prisoners, with Teutobochus, one of their kings, were taken, and two hundred thousand were said to be slain in the field †; accounts which, with some others relating to this war, we may suspect to be exaggerated.

The news of this victory arriving at Rome, while it was known that a second swarm of the same hive, not less formidable than the first, still hung on the approaches to Italy, it was not to be doubted that the command and office of Consul would still be continued to Marius. The populace, incited by

---

* Now Aix, in Provence.

† Plutarch. in Mario. Orosius, lib. v, c. 16. Florus, lib. iii, c. 3. Velleius. Eutropius.

some of the factious Tribunes, joined, with the other usual marks of their attachment to this favourite leader, that of disrespect and insolence to those who were supposed to be his opponents and rivals. Of these, Metellus Numidicus, whom he had supplanted in the command of the army against Jugurtha, was the chief. This respectable citizen, being now in the office of Censor, one Equitius, an impostor of obscure or slavish extraction, offered himself to be enrolled as a citizen, under the popular designation and name of Caius Gracchus, the son of Tiberius. The Censor, doubting his title, called upon Sempronia, the sister of Gracchus, to testify what she knew of this pretended relation; and, upon her giving evidence against him, rejected his claim. But the populace, ill-disposed to Metellus, on account of his supposed disagreement with Marius, took this opportunity to insult the Censor in the discharge of his office; attacked his house, and obliged him to take refuge in the Capitol. Even there the Tribune Saturninus would have laid violent hands on his person, if he had not been protected by a body of the Roman Knights, who had assembled in arms to defend him. This tumult was suppressed, but not without bloodshed.

U. C. 653. Caius Marius 5to, M. Aquilius.

While the popular faction was indulging in these marks of dislike to Metellus, they proceeded to bestow the honours which they intended for Marius, and chose him for a fifth time Consul, in conjunction with M. Aquilius. His late splendid successes against one division of the wandering Barbarians justified this choice, and point-

ed him out as the fittest person to combat the other, which was still expected from the banks of the Danube, to attempt the invasion of Italy. Catulus, the late colleague of Marius, commanding the troops that were stationed on the Athesis, to cover the access to Italy from what is now called the Tyrol and the valley of Trent, was destined to act in subordination to the Consul, who had given orders to hasten the passage of his victorious army from the other extremity of the Alps and the Rhone.

Catulus had taken post near Verona, thrown a bridge over the Athesis, and, in order to command the passage of that river, had fortified stations on both its banks. While he was in this posture, and before the junction of Marius, the enemy arrived in his neighbourhood. The amazing works which they performed might serve to confirm the report of their numbers. They obstructed with mounds of timber and earth the channel of the Athesis, so as to force it to change its course; and by this means, instead of themselves passing the river, they threw it behind them in their march. They continued to float such quantities of wood towards the bridge which Catulus had constructed, that the stream being obstructed, the bridge itself, unable to sustain such a pressure, with all the timber which was accumulated before it, was entirely carried off. The troops of Rome, on seeing such proofs of the numbers and strength of their enemy, were seized with a panic. Many deserted their colours, some fled even to the city itself, without halting. The Proconsul, to hide his disgrace, thought proper to order a retreat; and

by this order, seeming to authorise what he could not prevent, endeavoured to save in part the credit of his army.

The level country on the Po was in this manner laid open to the incursions of the Barbarians. The inhabitants of Italy were greatly alarmed: and the Roman People passed an act of attainder against all those who had abandoned their colours. Marius, who had been at Rome while he expected the arrival of his army from Gaul, suspended the triumph which had been decreed to himself by the Senate, now went to receive the legions on their approach, and hastened to rally and to reinforce the army of Catulus.

Upon their junction, those who had lately fled from the plains of Verona recovered their courage, and the generals determined, without loss of time, to hazard a battle. It is said that the Barbarians of this division were still ignorant of the disaster which had befallen their confederates on the other side of the Alps, and had sent the Roman army a defiance or a challenge to fight; but that, being informed of their loss, when they were about to engage, they made their attack with less than their usual ferocity or confidence. Catulus received them in front. Marius made a movement to assail them in flank; but as the field was darkened by the clouds of dust which every where rose from the plain, he missed his way, or could not fall in with the enemy till after they had been repulsed by Catulus, and were already put to flight. The route, as usual, was extremely bloody; an hundred and fifty thousand were

said to be slain; sixty thousand submitted to be taken. The remainder of this mighty host, even the women and children, perished by their own hands; and in this manner, a race of barbarous nations, who had migrated through Europe, perhaps for ages before they encountered with the Romans, now appear to have been entirely cut off*.

On receiving the news of this victory at Rome, the city resounded with joy, and the People, in every sacrifice they offered up, addressed themselves to Marius as to a god. He had been constantly attended in this war by Sylla, who, though already an object of his jealousy, still chose to neglect the preferments of the city, and to serve in the camp. In the victory, now to be celebrated, Marius was no more than partner with Catulus, and, impatient as he will soon appear of any competition for power, did justice to his colleague in this particular, admitting him equally to partake in the triumph which ensued. In this procession there were not any carriages loaded with gold, silver, or precious spoils of any sort; but, instead of them, the shattered armour and broken swords of a ferocious enemy; the surer marks of an honour justly won, and of a more important service performed. These were transported in waggon-loads, and piled up in the Capitol.

* Plutarch. in Mario et Sylla. Orosius. lib. v, c. 16. Florus, lib. iii, c. 3, Velleius. Eutrop. Appian. in Celtica.

CHAP. XIII.

Character and immoderate ambition of Marius.—Death of Nonius.—Re-election of the Tribune Saturninus.—His sedition and seizing the Capitol.—Death of Saturninus.—Reverse in the state of parties.—Recall of Metellus.—Violent death of the Tribune Furius.—Birth of Caius Julius Cæsar.—Lex Cæcilia Didia.—Blank in the Roman history.—Sylla offers himself candidate for the office of Prætor.—Edict of the Censors against the Latin rhetoricians.—Bullion in the Roman treasury.—Present of a group in golden figures from the king of Mauritania.—Acts of Livius Drusus.—Revolt of the Italian allies.—Policy of the Romans in yielding to the necessity of their affairs.—The laws of Plautius.

Upon the extinction of the wandering nations which had now for some time molested the empire, there was no foreign enemy to endanger the peace of Italy. The wars in Thrace and in Spain had no effect beyond the provinces in which they subsisted. The insurrection of the slaves in Sicily, by the good conduct of Aquilius the Consul, to whom that service had been committed, was near being quelled.

Marius, being now returned to the city, might have quitted the paths of ambition with uncommon distinction and honour. An ordinary Consulate, after his having been so often called upon, in times of extreme danger, as the person most likely to save his country, could make no addition to his glory.

His being set aside in times of security and leisure, on the contrary, must have been the most honourable and flattering comment that could have been made on his former elections.

But there is reason to believe, that immoderate thirst of power, and extreme animosity to his rivals, not genuine elevation of mind, were the characteristics of Marius. His ambition had hitherto passed for an aversion to aristocratical usurpations. But his affected and furious contempt of family distinctions, too often the offspring of sensibility to the want of such honours, by clashing with the established subordination of ranks in his country, became a source of disaffection to the State itself. He formed views upon the Consulate yet a sixth time; and instead of the moderation, or the satiety of honours with which he formerly pretended to be actuated, when he hoped to be pressed into office, he now openly employed all his influence, even his money, to procure a re-election; and in the event prevailed, together with Valerius Flaccus. He had warmly espoused the interest of this candidate against Metellus, from animosity to the competitor, whose great authority, placed in opposition to himself, he dreaded, more than from any regard or predilection for Flaccus. And now being chosen, in order the more to strengthen himself in the exercise of his power, he entered into concert with the Tribune Apuleius Saturninus, and, it is probable, agreed to support this factious demagogue in his pretensions to remain in office for ano-

U. C. 653. Caius Marius 6to, L. Val. Flaccus.

ther year; a precedent which had taken place only in the most factious times of the republic, and which was in itself more dangerous than any other re-election whatever. The person of the Tribune being sacred, his will was absolute; there was no check to his power besides the fear of being called to account at the expiration of his term; and if this fear were removed by the perpetuity of office, it was a power yet more formidable than that of the Dictator, and to be restrained only by the divisions which might arise among those who were joined together in the exercise of it.

The faction now formed by Marius and the Tribune Saturninus, with their adherents, was farther strengthened by the accession of the Prætor Glaucia. This person, while in office, and as he sat in judgment, had received an affront from Saturninus, in having his chair of state broken down for presuming to occupy any part in the attention of the People while an assembly called by the Tribune was met. He nevertheless chose to overlook this insult, in order to be admitted a partner in the consideration and power which was likely to devolve on these popular leaders.

Upon the approach of the tribunitian elections, the Senate and Nobles exerted themselves to prevent the re-election of Saturninus; and nine of the new candidates were, without any question, declared to be duly elected in preference to him. The tenth place too was actually filled by the election of Nonius Sufenas, whom the aristocracy had supported with all its influence. But the party of Apuleius,

enraged at their disappointment, had recourse to violence, forced Nonius, though already vested with the sacred character of Tribune, to take refuge in a work-shop, from whence he was dragged by some of the late soldiery attached to Marius, and slain. The assembly broke up with the cry of murder, and every sober person, though reputed of the popular party, retired from the scene under the strongest impressions of affliction and terror.

Marius had reason to apprehend some violent resolution from the Senate, and was in no haste to assemble that body. Meantime his associate Glaucia, in the night, at the head of a party armed with daggers, took possession of the Capitol and place of assembly, and, at an early hour in the morning, pretending to observe all the forms of election, announced Apuleius again Tribune, in the place that was vacated by the murder of Nonius. This furious demagogue was accordingly reinstated in the sacred character, which, though recently violated by himself, was still revered by the bulk of the People. He was continually attended by a new set of men who infested the streets, freemen of desperate fortune, whom Marius, contrary to the established forms of the constitution, had admitted into the legions. These were grown fierce and insolent, as partners in the victories of their general, and were now made to expect that, in case the popular party should prevail, they themselves were to have comfortable settlements, and estates in land.

Under the dread of so many assassins, who considered the Nobles as enemies to their cause, Marius

with his faction was become master of the commonwealth. The better sort of the People was deterred from frequenting the public assemblies, and no one had courage to propose, that any inquiry should be made into the death of the Tribune Nonius, in whose person the sacred law had been again set at nought *.

Lex Agraria.

Apuleius hastened to gratify his party by moving popular acts. One to seize, in name of the Public, those lands beyond the Po, which had lately been overrun and desolated by the barbarous nations, and to distribute them in lots to the poorer citizens †.

Another, by which it was enacted, that in the province of Africa a hundred jugera a man should be distributed to the veterans ‡: that new settlements should be made in Greece, Macedonia, and Sicily; and that the money taken from the temple at Tolosa § should be employed in the purchase of lands for a like purpose: that wherever these colonies should be planted, Marius should have a power to inscribe, at each of the settlements, the names of any three aliens into the list of citizens ‖:

Lex Frumentaria.

That the price, hitherto paid at the public granaries, should be discontinued, and that corn should be distributed gratis to the People.

Upon the intention to obtain the last of those laws being known, Q. Servilius Cæpio, one of the Quæs-

---

* Appian. de Bell. Civil. lib. i. Plutarch. in Mario, lib. lxix. Valer. Max. lib. ix, c. 7. Orosius. lib. v, c. 57. Florus. lib. iii, c. 16.

† Appian. de Bell. Civil. lib. i.

‡ Aut. de Viris Illustribus in Saturnino.

§ Now Thoulouse.

‖ Aut. de Viris Illustribus in Saturnino.

tors, represented, that if such a law should pass, there would be an end to industry, good order and government in the city; and that the treasury of Rome would not be sufficient to defray the expence. He exhorted the Senate to employ every measure to defeat this ruinous project. And this body accordingly made a resolution, that whoever attempted to obtain the law in question should be deemed an enemy to his country. But Apuleius was not to be restrained by the terrors of this resolution. He proceeded to propose the law in the usual form, and had planted the rails and balloting urns for the People to give their votes, when Cæpio, with a body of his attendants, had the courage to attack the Tribune, broke down the steps, and overset the balloting urns; an action for which he was afterwards impeached upon an accusation of treason, but by which, for the present, he disappointed the designs of the faction *.

Apuleius, to extend the power of the popular assemblies, and to remove every obstruction from his own designs, brought forward a number of new regulations. One to confirm a former statute, by which the acts of the Tribes were declared to have the force of laws. Another, declaring it to be treason for any person to interrupt a Tribune in putting a question to the People. A third, obliging the Senate to confirm every act of the Tribes within five days after such act had passed, and requiring every Senator, under pain of a fine, and of being struck

* Aut. Rhetoricorum ad Herennium.

off the rolls, to take an oath to abide by these regulations. While these motions were under debate, some one of the party who opposed them, in order to stop the career of this factious Tribune, observed that it thundered; a circumstance which, upon the ordinary maxims of the Roman Augurs, was sufficient to suspend any business in which the People were engaged, and to break up their assembly. "If "you be not silent," said Apuleius to the person who observed that it thundered, "you will also find "that it hails." The assembly accordingly, without being deterred by this interposition of the auspices, passed acts to the several purposes now mentioned. The power of the Senate was thus entirely suppressed, their part of the legislature being reduced to a mere form, and even this form they were not at liberty to withhold. Marius called them together, and proposed that they should consider what resolution they were to take with respect to a change of so much importance, and particularly with respect to the oath which was to be exacted from the Senators, binding or obliging themselves to abide by the regulations now made. The old warrior is said, on this occasion, to have practised an artifice by which he imposed on many of those who were present, and which afterwards furnished him with a pretence for removing his enemy Metellus from the councils of state. He declared himself with great warmth against taking the oath, and by his example led other Senators to express their dislike. Metellus, in particular, assured the assembly, that it was his own resolution never to come under any such engagement.

While the Senators relied on the concurrence of Marius in refusing the oath, the time appointed for administering it nearly approached; and this Consul, after the third day was far spent, assembled the Senate, set forth the dangerous state of the commonwealth; at the same time expressed his own fears of the disturbances that might arise if the Senate refused to gratify the People in this matter, and, while multitudes were assembled in the streets to know the issue of their councils, he required that the oath should be administered. He himself took it, to the astonishment of the Senate, and to the joy of the populace, who, being assembled by Apuleius, sounded applause through the streets. Metellus alone, of all who were present, refused to comply, and withstood all the entreaties of his friends, who represented the danger with which he was threatened. "*If it were "always safe to do right,*" he said, "*who would ever "do wrong? But good men are distinguished, by choo- "sing to do right even when it is least for their safety "to do so.*"

On the following day the Tribune Saturninus entered the Senate, and, not being stopped by the negative of any of his own colleagues, the only power that could restrain him, dragged Metellus from his place, and proffered an act of attainder and banishment against him, for having refused the oath which was enjoined by the People. Many of the most respectable citizens offered their aid to defend this illustrious Senator by force, but he himself declined being the subject of any civil commotion, and went into exile.

While the act, which afterwards passed for his banishment, was preparing, he was heard to say, "If "the times should mend, I shall recover my station; "if not, it is good to be absent from hence." He fixed his abode at Smyrna, conducted his retirement with great dignity during his exile, and probably felt as he ought, that any censure inflicted by men of a vile or profligate character, whatever title they assumed, whether of Nobles or People, or of the State itself, was an honour.

In these transactions elapsed the second year, in which Apuleius filled the office of Tribune; and, being favoured by a supineness of the opposite party contracted in a seeming despair of the republic, he prevailed yet a third time in being vested with this formidable power. To court the favour of the People, he affected to credit what was alleged concerning the birth of Equitius; and, under the name of Caius Gracchus, son of Tiberius, had this impostor associated with himself in the office of Tribune. The name of Gracchus, in this situation, awakened the memory of former hopes and of former resentments. The popular party had destined Glaucia for the Consulate, and appear to have left Marius out of their councils. This will perhaps account for the conduct with which he concluded his administration in the present year.

At the election which followed, the interest of the Nobles was exerted for Marcus Antonius and C. Memmius. The first was declared Consul, and the second was likely to prevail over Glaucia; when, in the midst of the crowds that were assembled to vote, a sudden tumult arose; Memmius was beset

and murdered; and the greater part of the People, alarmed at so strange an outrage, were seized with a panic, and fled.

In the night, it being known that Glaucia, Saturninus, and the Quæstor Saufeius, were together in secret conference, all the citizens who yet retained any regard for the commonwealth assembled, in dread of what so desperate a faction might attempt. All the voices were united against Saturninus, the supposed author of so many disorders and murders. It was proposed, without delay, to seize his person, either living or dead: but being put upon his guard, by the appearance of a storm so likely to break on his head, he thought proper, with the other leaders of his party and their retainers in arms, to seize the Capitol, there to secure themselves, and to overawe the assembly of the People. It was no longer to be doubted that the republic was in a state of war. Marius, who had fomented these troubles from aversion to the Nobles, would have remained undetermined what part he should act. But the Senate being met, gave the usual charge to himself and his colleague to avert the danger with which the republic was threatened; and both these officers, however much they were disposed to favour the sedition, being in this manner armed with the sword of the commonwealth, were obliged to employ it in support of the public authority. The Senators, the Knights, and all the citizens of rank, repaired in arms to their standard. Antonius, Consul elected for the following year, in order to prevent the entry of disorderly persons from the country to join the faction, was stationed in the suburbs with an armed

force *. The Capitol was invested in form, and appears to have held out some days; at the end of which, in order to oblige the rebels to surrender, the pipes that supplied them with water were cut off †.

This had the intended effect. They submitted on such terms as were proposed to them; and Marius being inclined to favour, had them only confined to the hall of the Senate till farther orders. In the mean time, a great party of citizens, who were in arms for the defence of their families, impatient of delay, and thinking it dangerous to spare such daring offenders, beset them instantly in their place of confinement, and put the whole to the sword ‡.

It was reported, though afterwards questioned upon a solemn occasion ||, that Caius Rabirius, a Senator of distinction, having cut off the head of Apuleius, according to the manners of the times, carried it as a trophy, and had it presented for some days at all the entertainments which were given on this occasion, or at which he himself was a guest.

This was the fourth tribunitian sedition raised to a dangerous height, and quelled by the vigour and resolution of the Senate. Marius, who had been ob-

---

* Cicero pro C. Rabirio. "Et si Caius Marius quod fistulas quibus aqua sup-
" petabatur Jovis optimi maximi templis ac sedibus præcidi imperarat."

† Plutarch. in Caio Mario; τας γαρ οχετας απεκοψεν.

‡ Plut. in Mario. Appian. de Bell. Civil. lib. i. Oros. lib. v, c. 17. Flor. lib. iii. Aut. de Viris Illust. Cicero in Sextiana in Catal. lib. i. Philip. lib. viii et pro Caio Rabirio.

|| At the trial of Rabirius, when, some years afterwards, he was accused of having killed Saturninus.

liged to act as the instrument of Government on this occasion, saw his projects baffled, and his credit greatly impaired. Plutarch relates, that he soon after withdrew from the city for some time, on pretence of a desire to visit the province of Asia, where his active spirit became busy in forming the project of new wars, for the conduct of which he was much better qualified than for the administration of affairs in peace.

Upon the suppression of this dangerous sedition, the commonwealth was restored to a state which, compared to the late mixture of civil contention and military execution, may have deserved the name of public order. One office of Consul was still vacant; and the election proceeding without disturbance, Posthumius Albinus was joined to Antonius. Most of the other elections had also been favourable to the Nobles; and the majority even of the Tribunes of the People, recovered from the late disorders, were inclined to respect the Senate and the Aristocracy, as principal supports of the commonwealth.

U. C. 652. M. Antonius, A. Posthumius Albinus.

The first effect of this happy disposition was a motion to recall Metellus from banishment. In this measure, two of the Tribunes, Q. Pompeius Rufus and L. Porcius Cato concurred. But Marius having opposed it with all his influence, and Publius Furius, another of the Tribunes, having interposed his negative, it could not at that time be carried into execution. Soon after, however, the same motion being renewed by the Tribune Callidius, and Furius having repeated his negative, Metellus, son of

the exile, in presence of the People, threw himself upon the ground, and, embracing the Tribune's knees, beseeched him not to withstand the recall of his father. The young man, from this action, afterwards acquired the surname of *Pius*; and the Tribune, insolently spurning this suppliant, as he lay on the ground, served his cause by that act of indignity perhaps more effectually than he could have done by lending a favourable ear to his request. The People, ever governed by their present passions, were moved with tenderness and with indignation. They proceeded, without regard to the negative of Furius, under emotions of sympathy for the son, to recall the exiled father. The messenger of the republic sent to announce this act of the People to Metellus, found him at Tralles in Lydia, among the spectators at a public show. When the letters were delivered to him, he continued to the end of the entertainment without breaking the seals; by this mark of indifference, treating the favour of a disorderly populace with as much contempt as he had shown to their censure.

The Senate, in consequence of the distaste which all reasonable men had taken to the violence of the opposite party, having got the ascendant at Rome, were gratified, not only with the test of superiority they had gained in the recall of Metellus, but in the downfall also of some of the tribunes, who had been active in the late disorders. Publius Furius, now become an object of general detestation, fell a sacrifice to the law of Apuleius, which declared it treason to interrupt a Tribune in putting a question to the

People. Being accused by Canuleius, one of his colleagues, of violating this law, he was by the populace, who are ever carried by the torrent, and prompt for execution, prevented from making his defence; and, though a Tribune in office, was put to death. Decianus, another of these officers, in supporting the charge against Furius, happened to speak with regret of the death of Saturninus, a crime for which he incurred a prosecution, and was banished *. So strong was the tide of popularity now opposite to its late direction, and so fatal as precedents even to their own cause frequently are the rules by which violent men think to obtain discretionary power to themselves. The murder of Nonius was a precedent to justify the execution of Apuleius, and both were followed by that of Furius. The law which had for its object the support of Apuleius in any measure of disorder or licence, was now employed to support his enemies against himself and his faction.

Amidst these triumphs of the aristocratical party, Sextus Titius, one of the Tribunes, still had the courage to move a revival of the Agrarian law of Gracchus. The proposal was acceptable in the assembly of the People †: And the edict was accordingly passed. But it was observed, that while the People were met on this business, two ravens were fighting in the air above the place of Assembly, and the College of Augurs, on pretence of this unfavourable

* Val. Max. lib. viii, c. i. † Julius Obsequens.

omen, annulled the decree *. Titius, the author of it, was soon after condemned for having in his house the statue of Saturninus †.

The Consul Aquilius returned from Sicily; and having had an ovation or procession on foot for the reduction of the Sicilian slaves, was on the following year brought to trial for extortion in his province. He called no exculpatory evidence, nor deigned to court the favour of his judges. But when about to receive sentence, M. Antonius, who had pleaded his cause, tore open the vest of his client, and displayed to the court and the audience the scars which he bore in his breast, and which were the marks of wounds received in the service of his country. Upon this spectacle, a sudden emotion of pity or respect decided against the former conviction of the court, and unfixed the resolution which, a few moments before, they had taken to condemn the accused.

Among the events which distinguished the Consulate of M. Antonius and A. Posthumius Albinus, may be reckoned the birth of Caius Julius Cæsar, for whose ambition the seeds of tribunitian disorder now sown were preparing a plentiful harvest. This birth, it is said, was ushered in with many presages and tokens of future greatness. If, indeed, we were to believe, that nature in this manner gives intimation of impending events, we should not be surprised that her most ominous signs were employed

* Cicero de Legibus, lib. ii.

† Ibid. pro C. Rabirio. Ibid. de Orator. lib. ii, c. 28.

to mark the birth of a personage who was destined to change the whole face of the political world, and to lay Rome herself, with all the nations she had conquered, prostrate under the dominion of caprice and force,—a state of degradation which, by its natural effects, served to turn back into the lowest ebb of ignorance and meanness the tide of mental attainment which had flowed for some ages in an opposite direction.

Antonius and Albinus were succeeded in office by Q. Cæcilius Metellus and Titus Didius. The war still continued in Spain, and the conduct of it fell to the lot of Didius. Upon his arrival in the province, Dolabella, the Proprætor, set out on his return to Rome, and, for his victories in Spain, obtained a triumph. Metellus remained in the administration of affairs in Italy.

U. C. 655. Q. Cæcilius Metellus Nepo, T. Didius.

The legislation of the present year is distinguished by an act in which both Consuls concurred, and which is therefore marked in the title with their joint names. The Roman People had frequently experienced the defect of their forms in the manner of enacting laws. Factious Tribunes had it in their power to carry motions by surprise, to include in the same law a variety of regulations, and, by obliging the People to pass or reject the whole in one vote, frequently obtained, under the favour of some popular clause, acts of a very dangerous tendency. To prevent this abuse, it was now enacted, upon the joint motion of the Consuls Cæcilius and Didius, that every proposed law should

Lex Cæcilia Didia.

be made public three market days before it could receive the assent of the People: that all its different clauses should be separately voted: and that it should be lawful for the People to select a part, if they were not inclined to adopt the whole *.

This law had a salutary tendency; and, though far from sufficient to prevent a return of the late evils, it served for a time to obstruct the course of tribunitian violence: but while the source was open, any mere temporary obstruction could only tend to increase the force with which it occasionally burst over every impediment of law or good order that was placed in its way. And the inefficacy of measures taken upon the suppression of the late dangerous sedition to eradicate the evil, shews the extreme difficulty with which men are led, in most cases, to make any great or just reformation.

It is somewhat singular, that about this time, in the midst of so much animosity of the People to the Senate and Nobles, this superior and probably more opulent class of the citizens were the patrons of austerity, and contended for sumptuary laws, while the popular Tribunes contended for license and the abolition of former restraints. "What is your li-"berty," said the Tribune Duronius to the People, (while he moved for a repeal of the sumptuary law of Fannius), "if you may not enjoy what is your "own; if you must be directed by rule and mea-"sure; if you must be stinted in your pleasures?— "Let us shake off, I pray you, these musty remains

* Cic. Philip. v, Pro domo sua. Epist. ad Atticum, lib. ii.

"of antiquity, and make free to profit by what we "and our fathers have gained *.

For the petulance of these expressions, this Tribune was, by the judgment of the Censors, on the following year, expelled from the Senate; and he took his revenge by prosecuting the Censor Antonius for bribery in canvassing for the very office he now held.

U. C. 656. Cn. Cornelius Lentulus, P. Licinius Crassus.

Cn. Cornelius Lentulus and Publius Licinius Crassus being raised to the Consulate, the latter was appointed to relieve Didius in Spain, and the other to succeed Metellus in Italy. There is, during some years, a considerable deficiency in the materials from which our accounts are collected; little more is recorded than the succession of Consuls, with the number of years that elapsed, and a few particulars that ill supply the interval, of what passed in the city, or in the series of important affairs abroad. So far as these particulars, however, can be referred to their respective dates, it will be proper, while we endeavour to mark the lapse of time, to record them in the order in which they are supposed to have happened.

In the present year are dated two remarkable acts of the Senate; one to prohibit recourse to magic, another to abolish the practice of human sacrifices †: the first proceeding, perhaps, from credulity in the authors of the law; the other implying some remains of a gross and in-

U. C. 656.

* Val. Max. lib. ii, c. 9. † Plin. lib. xxx, c. 1.

human superstition, which was still entertained by the People, though rejected by the Government *.

In the following Consulate the kingdom of Cyrené was bequeathed to the Romans by Ptolemy Appion, the late king. But, as this People professed themselves to be the general patrons of liberty, where this blessing was not forfeited by some act of ingratitude or perfidy in their allies, they did not avail themselves of this legacy, leaving the subjects of Cyrené to retain for some time the independence of their nation, with a species of popular government; and in this condition they were allowed to act the part of a separate State, until, under a general arrangement respecting all the dependencies of the Roman empire, the territories of Cyrené, among the rest, were reduced to the form of a province.

U. C. 658. L. Licinius Crassus, Q. Mucius Scævola. Lex Licinia Mucia de Civibus regendis.

The following Consuls gave its name and its date to an act of the People, nearly of the same tenor with some of those which were formerly passed for the exclusion of aliens. The inhabitants of Italy still continued the practice of repairing in great numbers to Rome, if not in expectation of obtaining in a body the prerogative of citizens, at least in hopes of intruding themselves individually, as many of them separately did, into some of the Tribes, by which persons of this extraction came by degrees, from voting at elections, to be themselves elected into the higher offices of State.

Times of faction were extremely favourable to

* Dion. Cassius, lib. xlii, p. 226.

this intrusion of strangers. Different leaders connived at the enrolment of those who were likely to favour their respective parties. And the factious Tribunes, however little they may have favoured the general claim of the allies to be admitted as Romans, fondly espoused their cause, as matter of opposition to the Senate, and as likely to open a more spacious field for their own operations; as they expected to raise the storm of popular animosity and tumult with the more ease, in proportion as the numbers of the People increased. By the act of Licinius and Mucius, nevertheless, a scrutiny was set on foot, and all who, without a just title, ventured to exercise any privilege of Roman citizens, were remitted to their several boroughs *.

In this Consulate is likewise dated the trial of Servilius Cæpio, for his supposed misconduct about ten years before in his command of the army against the Cimbri. He had exasperated the popular faction, by opposing the act of Saturninus for the gratuitous distribution of corn, and his enemies were now encouraged to raise this prosecution against him. The People gave sentence of condemnation, and violently drove from the place of assembly two of the Tribunes who ventured to interpose their negative in his favour. Authors, according to Valerius Maximus, have differed in their accounts of the sequel; some affirming that Cæpio, being put to death in prison, his body was dragged through the streets as that of a traitor, and cast into the river;

* Ascon. in Orat. pro Cornelio Majest. reo.

others, that he was, by the favour of Antistius, one of the Tribunes, rescued, or enabled to make his escape *.

C. Norbanus, who was said to be author of the riot, which occasioned the condemnation of Cæpio, and the supposed cruel execution of that citizen, was, on the following year, brought to trial himself for mal-administration and sedition in office; but, by his own popularity, and the address of the orator Antonius, who pleaded his cause, was acquitted *.

The war in Spain still continued; and the Romans, having gained considerable victories, sent ten commissioners, to endeavour, in concert with Crassus and Didius, to make such arrangements as might tend to the future peace of those provinces; but in vain: hostilities were again renewed in the following year.

U. C. 660. C. Val. Flaccus, M. Hierrennius.

L. Cornelius Sylla, who had been Quæstor in the year of Rome six hundred and forty-six, now, after an interval of about fourteen years, and without having been Edile, stood candidate for the office of Prætor. Whether his neglect of political honours, during this period, proceeded from idleness, or from want of ambition, is uncertain. His character will justify either construction, being equally susceptible of dissipation and of the disdain of ordinary distinctions. The People, however, refused to gratify him in his desire of passing on to the office of Prætor without being Edile; as they were resolved to be gratified with

* Val. Max. lib. iv, c. 7. † Cicero de Orator. lib. ii.

the magnificent shows of wild beasts, which his supposed correspondence with the king of Mauritania enabled him to furnish. But to remove this objection to his preferment, he gave out, that as Prætor he should exhibit the same shows which were expected from him as Edile: and having, in the following year, persisted in his suit, he was accordingly elected, and fulfilled the expectations of the People; insomuch, that he is said to have let loose in the Circus one hundred maned or male lions, and to have exhibited the method of baiting or fighting them by Mauritanian huntsmen *. Such was the price which candidates for preferment at Rome were obliged to pay for the suffrage of the People.

In this variable scene, where so many particular men excelled in genius and magnanimity, while measures of State were affected by the caprice of a disorderly multitude, P. Rutilius, late Quæstor in Asia, exhibited a spectacle more than sufficient to counterbalance the lions of Sylla; and, if it were permitted in any case whatever to treat our country with disdain, furnished an instance to be applauded of the just contempt with which the undeserved resentments of corrupt and malicious men may be slighted. Having reformed many abuses of the equestrian tax-gatherers in the province which he governed, he was himself brought before the tribunal of an equestrian jury, to be tried for the crime he had restrained in others. In this situation he declined the aid of any friend, told the judges he

* Plin. lib. viii, c. 16.

would make no defence; but stated the particulars by which he had offended his prosecutors, left the court to decide, and, being condemned, retired to Smyrna, where he ever after lived in great tranquillity, and could not be prevailed on, even by Sylla in the height of his power, to return to Rome *. Great as the State and Republic of Rome was become, unmerited disgrace was certainly a just object of contempt or indifference, to the worthy person on whom it was inflicted.

The Proconsuls, Didius and Crassus, were permitted to triumph for victories obtained in Spain, but had not been able to establish the peace of that country. The conduct of the war which broke out afresh in one of the provinces was committed to Valerius Flaccus, and that of the other to Perperna, one of the Consuls. Flaccus, near the town of Belgida, obtained a great victory, in which were slain about twenty thousand of the enemy; but he could not prevail on the canton to submit. Such of the People as were inclined to capitulate, having met to deliberate on terms, were beset by their fellow-citizens, and the house in which they were assembled being set on fire, they perished in the flames.

U. C. 661. C. Claudius Pulcher, M. Perperna.

The war having been likewise renewed with the Thracians on the frontiers of Macedonia, Geminius, who commanded there in the quality of Proprætor, was defeated, and the province overrun by the enemy.

* Val. Max. lib. vi, c. 17. Liv. lib. lxx. Orosius, lib. v, c. 17. Cic. de Orator. et in Bruto. Pædianus in Divinationem. Velleius, lib. ii.

The Prætor Sylla, at the expiration of his office, was sent into Asia with a commission to restore Ariarathes to the kingdom of Cappadocia, which had been seized by Mithridates, and to restore Pylamenes to that of Paphlagonia, from which he had been expelled by Nicomedes king of Bithynia. The Prætor having successfully executed both these commissions, continued his journey to the Euphrates, where he had a conference, and concluded a treaty with an ambassador from Ariarathes king of the Parthians *.

From an edict of the Censors, Cn. Domitius Ahenobarbus and C. Licinius Crassus, condemning the schools of Latin rhetoric †, it appears that the Romans, during this period, still received with reluctance the refinements which were gradually taking place in the literary as well as in the other arts. "Whereas information," said the Censors in their edict, "has been lodged before us, that schools "are kept by certain persons under the title of "Latin rhetoricians, to which the youth of this city "resort, and at which they pass entire days in fri-"volity and sloth; and whereas our ancestors have "determined what their children should learn, and "what exercises they ought to frequent: these in-"novations on the customs and manners of our "forefathers being, in our opinion, offensive and "wrong, we publish these presents, that both mas-

* Plutarch. in Sylla. Appian. in Mithridatico. Justin. lib. xxxiii. Strabo, lib. xii.

† Cicer. de Orator. lib. iii, c. 24.

" ters and scholars, given to these illicit practices, " may be duly apprized of our displeasure *." Cicero being now fourteen years of age, and employed in acquiring that eloquence for which he became so famous, was probably involved in this censure, as frequenting the schools, which, by this formal edict of the magistrate, were condemned.

U. C. 662. Lucius Marcius Philippus, Sextus Julius Cæsar.

In the Consulate of Marcius Philippus and Sext. Julius Cæsar, according to Pliny, there were in the Roman treasury sixteen hundred and twenty-eight thousand eight hundred and twenty-nine pondo † of gold ‡, or between sixty and seventy or eighty millions Sterling. In the same year a present sent from the king of Mauritania had nearly produced a civil war in the commonwealth, or at least inflamed the passions from which that calamity soon after arose. Bocchus, in order to remind the Romans of the merit he had acquired by delivering Jugurtha into their hands, had caused this scene to be represented in a groupe of images of gold, containing his own figure, that of Jugurtha, and that of Sylla, to whom the unhappy prince was delivered up. Marius, under whose auspices this transaction had passed, being provoked at having no place in the groupe by which it was represented, attempted to pull down the images after they had been erected in the place of their destination in the Capitol. Sylla was equally solicitous to have them remain; and the contest was

* A. Gellius, lib. xv, c. 11. † The Roman pondo of ten ounces.
‡ Plin. Harduen, lib. xxxiii, c. 5.

likely to end in violence, if matters of greater moment had not arisen to occupy the ardent and vehement spirit of these rivals.

The expectations of all parties at Rome, and throughout Italy, were now raised by the projects of Livius Drusus, an active Tribune, who, in order to distinguish himself, brought forward many subjects of the greatest concern to the public. He acted at first in concert with the leading men of the Senate, and was supported by them in order to obtain some amendment in the law as it then stood respecting the courts of justice. The Equestrian order had acquired exclusive possession of the judicature. The Senators wished to recover at least a share in that prerogative; and Drusus, in order to gratify them, moved for an act of which the tendency was, to restore the Senators to their place in forming the courts of justice; and to prevent opposition from the Equestrian order, he proposed, at once, to enrol three hundred knights into the Senate; and that the Senators, who appear at this time to have amounted to no more than three hundred, might not withstand this increase of their numbers, he left to each the nomination of one of the new members; proposing, that from the six hundred so constituted, the list of judges should be taken *. Many of the knights were reconciled to this arrangement, by the hopes of becoming Senators; but the order, in general, seem to have consi-

Lex de Judiciis.

* Appian. de Bell. Civ. lib. i. Aut. de Viris Illustribus, c. 66. Cicero pro Clientio.

dered it as a snare laid to deprive them of their consequence in the government of their country; and individuals refused to accept of a place in the Senate, at the hazard of so great and so sudden a change in the constitution of the State, and in the condition of an order from which they derived their consequence *.

This Tribune likewise proposed an act to debase the silver coin, by mixing an eighth of alloy. But the part of his project which gave the greatest alarm, was that which related to the indigent citizens of Rome, and to the inhabitants of Italy in general.

Lex Numaria.

With a view to gratify the poorer citizens he proposed, that all the new settlements, projected by the law of Caius Gracchus, should now be carried into execution. The Consul Marcus Perperna, having ventured to oppose this proposal, was, by order of the Tribune, taken into custody; and so roughly treated in the execution of this order, that, while he struggled to disengage himself, the blood was made to spring from his nostrils. "It is "no more than the pickle of the turtle-fish *," said the Tribune; a species of delicacy, in which, it seems, among other luxuries of the table, this Consul was supposed frequently to indulge himself.

Lex de Coloniis.

---

* Appian. de Bell. Civ. lib. i. Aut. de Viris Illustribus, c. 66. Cicero pro Clientio.

* "Ex turdis maria." Aut. de Viris Illustribus, in L. Drus. Val. Max. lib. ix, c. 4. Florus.

For the allies of Italy, Livius Drusus proposed to obtain the favourite object on which they had been so long intent, their admission on the rolls of Roman citizens. In all his other proposals, he had the concurrence of some party in the commonwealth, and by persuasion, or force, had obtained his purpose; but in this he struck at the personal consideration of every citizen, and was opposed by the general voice of the People.

Lex de Civitate Sociis danda.

This Tribune used to boast, that he would exhaust every fund from which any order of men could be gratified, and leave to those who came after him, nothing to give but the air and the earth *. The citizens, however, in general, were become tired of his favours, and the people of Italy were ill-disposed to requite the merit of a project, which, though in their favour, he had not been able to execute.

Soon after the motion which Drusus made for this great and alarming innovation, he was suddenly taken ill in the public assembly, and Papirius Carbo, another of the Tribunes, made a short speech on the occasion, which, among a people prone to superstition, and ready to execute whatever they conceived to be awarded by the gods, probably hastened the fate of his falling colleague: "O Marcus Drusus!" he said, "the father I call, not this degenerate son; "thou who usedst to say, The commonwealth is sa- "cred, whoever violates it is sure to be punished. "The temerity of the son may soon evince the wis- "dom of the father." A great shout arose in the

* Florus, lib. iii, c. 17.

assembly, and Drusus *, being attended to his own house by a numerous multitude, received in the crowd a secret wound of which he died †. All his laws were soon after repealed, as having passed under unfavourable auspices. But the inhabitants of Italy were not to be appeased under their late disappointment, and discontents were breaking out in every part of the country, which threatened to end in some great convulsion.

In this state of public alarm, some prosecutions were raised by the Tribunes, calculated merely to gratify their own private resentments, and tending at the same time to excite extreme animosities. Q. Varius Hybrida obtained a decree of the People, directing, that inquiry should be made by whose fault the allies had been made to expect the freedom of the city. In consequence of an inquest set on foot for this purpose, L. Calpurnius Bestia, late Consul, and M. Aurelius Orator, and other eminent men, were condemned ‡. Mummius Achaicus was banished to Delos. Emilius Scaurus, who had long maintained his dignity as *Princeps*, or first on the roll of the Senate, was cited on this occasion before the People as a person involved in the same guilt. Quintus Varius, the Tribune who accused him, being a native of Spain, Scaurus was acquitted upon the following short defence: "Q. Varius, from the banks of "the Sucro, in Spain, says, That M. Emilius Scau- "rus, first in the roll of the Senate, has encouraged

* Cicero in Bruto, p. 63.

† Velleius, lib. ii, c. 13, 14. Appian. Florus, lib. iii, c. 17.

‡ Appian. Val. Max. lib. viii, c. 4. Cicero in Bruto.

"your subjects to revolt; Varius maintains the "charge; Scaurus denies it; there is no other evi- "dence in this matter; choose whom you will be- "lieve *."

The year following, Varius himself was tried, and condemned in terms of his own act; and while these prosecutions suspended all other civil affairs, and even interrupted the measures required for the safety of the public, the inhabitants of Italy were forming dangerous combinations, and were ready to break out in actual rebellion. They were exasperated with having their suit not only refused, but in having the abettors of it at Rome considered as criminals. They deputed commissioners to meet at a convenient place, to concert their measures, and were speedily advancing to the effect of some violent resolutions.

The Romans took their first suspicion of a dangerous design in agitation among their allies, from observing that they were exchanging hostages among themselves. The Proconsul Servilius, who commanded in the Picenum, having intelligence of such proceedings from Asculum, repaired thither, in order, by his presence, to prevent any commotion; but his coming, in reality, hastened the revolt. His remonstrances and his threats made the inhabitants sensible that their designs were known, and that the execution of them could no longer be in safety delayed. They accordingly took arms, and put to the sword the Proconsul Servilius himself, with his lieutenant,

* Cicero pro M. Scauro filio. Aut. de Viris Illustribus, c. 72. Quintilian lib. v, c. 12. Val. Max. lib. iii, c. 7.

and all the Roman citizens who happened to be in the place. The alarm immediately spread throughout all the towns that were concerned in the plot; and, as upon a signal agreed, the Marsi, Peligni, Vestini, Marcini, Picentes, Ferentanæ, Hirpini, Pompeiani, Venusini, Apuli, Lucani, and Samnites, took arms, and in this menacing posture sent a joint deputation to Rome, to demand a participation in the privilege of citizens; of which they had, by their services, contributed so largely to increase the value.

In answer to this demand they were told by the Senate, That they must discontinue their assemblies, and renounce their pretensions; otherwise, that they must not presume to send any other message to Rome.

War being thus declared, both parties prepared for the contest. The allies pitched upon Corfinium for the capital of what they denominated the *Italian Republic*: they instituted a Senate of five hundred members; elected two Consuls, with other civil and military officers of State, to replace the political government at Rome, from which they now withdrew their allegiance. They mustered in separate bodies, and under different leaders, one hundred thousand men in arms *. The Romans now found themselves in an instant brought back to the condition in which they had been about three hundred years before; reduced to a few miles of territory round their walls, and beset with enemies more united, and more numerous

U C. 366. L. Julius Cæsar, P. Rutilius Lupus.

* Diodorus, lib. xxxvii, Eclog. 1.

than ever had assailed them at once on the same ground. But their city was likewise enlarged, their numbers increased, and every individual excellently formed to occupy his place in the State, either as a warrior or a citizen. All of them assumed, upon this occasion, the sagum or military dress; and being joined by such of the Latins as remained in their allegiance, and by such of their colonies, from different parts of Italy, as continued to be faithful, together with some mercenaries from Gaul and Numidia, they assembled a force equal to that of their revolted subjects.

The Consuls were placed at the head of the two principal armies; Lucius Julius Cæsar, in the country of the Samnites *, and Rutilius, in that of the Marsi †. They had under their command the most celebrated and experienced officers of the republic; but little more is preserved to furnish an account of the war besides the names of the Roman commanders, and those of the persons opposed to them. Rutilius was attended by Pompeius Strabo, the father of him who afterwards bore the title of Pompey the Great; Cæpio, Perperna, Messala, and Caius Marius, of whom the last had already so often been Consul. Lucius Cæsar had, in the army which he commanded, Lentulus, Didius, Crassus, and Marcellus. They were opposed by T. Afranius, P. Ventidius, Marcus Egnatius, Q. Pompedius, C. Papius, M. Lamponius, C. Judacilius, Hircus, Assinius,

* Now part of the kingdom of Naples.

† Contiguous part of the Ecclesiastical State.

and Vetius Cato, at the head of the allies. The forces were similar in discipline and in arms. The Romans were likely to be inferior in numbers and in resources, but had the advantage in reputation, authority, and in the fame of their leaders, employed in the highest stations, and inured to command. But so well had the allies taken their measures, and with so much animosity did they enter into a quarrel which they had been meditating for some years, that the Romans appeared at first unequal to the contest, and were surprised and overcome in sundry encounters.

The detail of these operations is imperfectly recorded, and does not furnish the materials of a relation either interesting or instructive. We must therefore content ourselves with little more than a list of actions and events, together with the general result.

One of the Consuls, Lucius Cæsar, in the first operation of the war, was defeated by Vetius Cato near Esernia, and had two thousand men killed in the field. The town of Esernia was immediately invested, and some Roman officers of distinction were obliged to make their escape in the disguise of slaves. Two Roman cohorts were cut off at Venafrum, and that colony fell into the hands of the enemy. The other Consul, Rutilius, was likewise defeated by the Marsi, and fell in the field, with eight thousand men of his army. His colleague was called to the city to preside at the election of a successor; but being necessarily detained with the army, the office continued vacant for the remainder of the

campaign, while the army acted under the direction of the late Consuls, Marius and Cæpio.

The corpse of Rutilius, and of other persons of rank, being brought to the city in order to have the honours of a public funeral, seemed to spread such a gloom, as to suggest a resolution in the Senate, which is probably wise on all such occasions, that for the future the dead should be buried where they fell.

In the mean time, Lucius Cæsar obtained a victory in the country of the Samnites; and the Senate, in order to compose the minds of the People, which in this war were agitated to an uncommon degree, as if this victory had suppressed the revolt, resolved, that the sagum, or military dress, should be laid aside *.

U. C. 664. Cn. Pomp. Strabo, L. Porcius Cato.

The usual time of the Consular elections being come, Cn. Pompeius Strabo and Porcius Cato were named. The first gained a complete victory over the Marsi; and notwithstanding an obstinate defence, reduced the city of Asculum, where the first hostilities took place, and where the Romans had suffered the greatest outrage. The principal inhabitants of the place were put to death; the remainder were sold for slaves. The other Consul, Cato, was killed in an attack upon the entrenchments of the Marsi; and although Marius aud Sylla, in different quarters, had turned the fortune of the war against the allies, yet the event still continued to be extremely doubtful.

* Liv. lib. lxxiv. Appian. Orosius, lib. v, c. 18. Florus, lib. iii, c. 1. Velleius. Eutropius.

The Umbrians, Etruscans, and inhabitants of other districts of Italy, who had hitherto hesitated in the choice of their party, took courage from the perseverance and success of their neighbours, and openly joined the revolt. The more distant parts of the empire were soon likely to receive the contagion: they were already, by the obstruction they met with in carrying supplies of provisions or revenue, severed from the capital, and they were likely to withdraw, on the first opportunity, the allegiance which they were supposed to owe as conquered provinces.

Mithridates, the king of Pontus, did not neglect the occasion that was offered to him, in this distraction of affairs in Italy; he put all his forces in motion, expelled Nicomedes from Bithynia, and Ariobarzones from Cappadocia, and thus himself became master of the greater part of Lesser Asia.

In this extremity it appeared necessary at Rome to compose the disorders of Italy, and no longer to withstand the request of the allies; but the Senate had the address to make the intended concessions seem to be an act of munificence and generosity, not of weakness or fear.

The Latins, who had continued in their allegiance, were, in consideration of their fidelity, admitted to all the privileges of Roman citizens. The Umbri and Tuscans, who either had not yet declared, or who had appeared the least active in the quarrel, were next comprehended; and some other inhabitants of Italy, observing, that they were likely to obtain by favour what they endeavoured at so great a

risk to extort by force, grew remiss in the war, or withdrew from the league, that they might appear to be forward in the general return to peace.

The Marsi, Samnites, and Lucanians, who had been the principal authors of the revolt, or who had acted with most animosity in the conduct of it, continued for some time to be excluded from the privilege to which they aspired, and which the Romans would not be forced to bestow. But the civil war, which soon after broke out among the citizens themselves, terminated either in the extirpation of those obstinate aliens, and in the settlement of Roman colonies in their stead, or gave them an opportunity, under favour of the party they espoused, of gaining admittance to the freedom of Rome: so that, in a few years, all the inhabitants of Italy, from the Rubicon to the Straits of Messina, were inscribed on the rolls of the People, and a constitution of state, which had been already overcharged by the numbers who partook of the sovereignty, was now altogether overwhelmed; or if this change alone were not sufficient to destroy it, was not likely long to remain without some notable or fatal reverse. Assemblies of the People, already sufficiently tumultuary, being now considered as the collective body of all the Italians, were become altogether impracticable, or for the most part could be no more than partial tumults, which, for particular purposes, assumed this title, in the streets of Rome, or the contiguous fields; insomuch that when we read of the authority of the Senate being set aside by an order of the People, we may venture to conceive all government suspended

at the suit of the party or faction who had the populace of the town at their call, rather than any regular transaction of state.

Licinius Crassus and L. Julius Cæsar were chosen Censors, in order to make up the new rolls of the People. This, it is likely, was found to be a difficult and tedious work. It became necessary to scrutinize the rolls of every separate borough, in order to know who were entitled to be added to the list of Roman citizens; and this difficulty was further increased in consequence of a law devised about this time by Papirius Carbo, in which it was enacted, that not only the natives and ancient denizens of Italy, but all who should, for the future, obtain the freedom of any Italian borough, if they had a residence in Italy, and lodged their claim to the Prætor sixty days, should, by that act, become citizens of Rome *; so that the prerogative of the Roman People continued to be in the gift of every separate corporation, as well as in that of the State itself.

The number of the aliens admitted on the rolls, at this muster, is not recorded; but it was probably equal to that of the ancient citizens, and might have instantly formed a very powerful and dangerous faction in the State, if effectual measures had not been taken to diminish or guard against the effect of their influence. For this purpose, the new citizens were not mixed promiscuously with the mass of the People, but confined to eight particular Tribes †; and of consequence, could influence only eight votes in

* Cicero pro Archia Poeta. † Velleius Paterculus, lib. ii, c. 20.

thirty-five *; and the ancient citizens were still possessed of a great majority. But this artifice did not long escape the attention of those who were aggrieved by it, and became, in the sequel, subject of farther dispute.

Meantime, while the Romans were meditating, or actually making, this important change in the state of their commonwealth, they found leisure for matters of less moment, in which they endeavoured to provide for the peace of the city, and the administration of justice.

Lex Plotia de Judiciis.

Plautius, one of the Tribunes, obtained a new law for the selection of judges, by which it was enacted, that each Tribe should annually set apart fifteen citizens, without any distinction of rank; and that, from the whole so named, the judges in all trials that occurred within the year should be taken †. This law appeared to be equitable, as it gave, with great propriety, to all the different classes of men in the commonwealth, an equal right to be named of the juries; and to every party concerned, an equal chance of being tried by his peers.

Lex Plotia de Vi.

The same Tribune likewise obtained a law for the preservation of the public peace, by which it was declared capital to be seen in any place of public resort, with a weapon or instrument of death; to occupy any place of strength in the

* Historians mention this particular, as if eight new Tribes were added to the former thirty-five; but the continual allusion of Roman writers to the number thirty-five, will not allow us to suppose any augmentation. Cicero de lege Agraria 2da, c. 8.

† Pædianus in Cornelianam Ciceronis.

city; to offer violence to the house of any person, to disturb any private company; to interrupt any meeting of the Senate, assembly of the People, or court of justice. To these clauses Catulus subjoined another, in which he comprehended persons surrounding the Senate with an armed force, or offering violence to any magistrate *.

* Cicero pro Cælio, et de Aruspicum Responso.

CHAP. XIV.

Triumph of Pompeius Strabo.—Progress of Sylla.—War with the king of Pontus.—Rise of that kingdom.—Appointment of Sylla to command.—Policy of the Tribune Sulpicius.—Sylla's commission recalled in favour of Marius.—His march from Campania to Rome.—Expels Marius and his faction from the city.—His operations in Greece.—Siege of Athens.—Battle of Chæronea.—Of Orchomenos.—Transactions at Rome.—Policy of Cinna.—Marius recalled.—Cinna flies, and is deprived.—Recovers the possession of Rome.—Treaty of Sylla with Mithridates.—He passes into Italy.—Is opposed by numerous armies.—Various events of the war in Italy.—Sylla prevails.—His proscription, or massacre.—Named Dictator.—His policy,—resignation,—and death.

THE social war, though far from being successful on the part of the Romans, concluded with a triumphal procession; and the Senate, though actually obliged to yield the point for which they contended, thought proper, under pretence of advantages gained on some particular occasions, to erect a trophy. They singled out Pompeius Strabo for the pageant in this ceremony; either because he had reduced Asculum, where the rebellion first broke out, or because a victory obtained by him had most immediately preceded the peace. But the most remarkable circumstance in this procession was, its being, in shew, a triumph of the old citizens over the new, but in reality a tri-

umph of the latter. Ventidius Bassus, being a prisoner in the war, and led as such in the present triumph, was now, though in the form of a captive, in fact introduced to share in the prerogatives of a Roman; he was, in the sequel, promoted to all the honours of the State; and, in the quality of a victorious general, came to lead a procession of the same kind with that in which he himself had made his first entry at Rome as a captive *.

Sylla, by his conduct and his successes wherever he had borne a separate command in this war, gave proof of that superior genius by which he now began to be distinguished. By his magnanimity on all occasions, by his great courage in danger, by his imperious exactions from the enemy, and by his lavish profusion to his own troops, he obtained, in a very high degree, the confidence and attachment of soldiers; and yet in this, it is probable, that he acted merely from temper, and not from design, or with any view to the consequence. With so careless and so bold a hand did this man already hold the reins of military discipline, that Albinus, an officer of high rank, and next in command to himself, being killed by the soldiers in a mutiny, he treated this outrage as a trifle, saying, when the matter was reported to him, That the troops would atone for it when they met with the enemy †. With great merits recently displayed, he repaired to the city, laid claim to the Consulate,

U. C. 665. L. Corn. Sylla, Q. Pomp. Rufus, Coss.

* Val. lib. vi, c. 9. Gellius, lib. xv, c. 4. Plin. lib. vii, c. 43. Dio Cassius 43, fine.

† Plutarch. in Sylla.

and was accordingly chosen, in conjunction with Quintus Pompeius Rufus.

It was thought necessary still to keep a proper force under arms in Italy, until the public tranquillity should be fully established. The army, which had acted under Cneius Pompeius Strabo, Consul of the preceding year, was destined for this service; and Quintus Rufus was appointed to the command of it.

The war with Mithridates, king of Pontus, however, was the principal object of attention; and this province, together with the army then lying in Campania, fell to the lot of Sylla.

The monarchy of Pontus had sprung from the ruins of the Macedonian establishments in Asia; and, upon their entire suppression, was become one of the most considerable kingdoms of the East.

Mithridates had inherited from his ancestors a great extent of territory, reaching in length, according to the representation of his ambassador quoted by Appian, twenty thousand stadia, above two thousand miles. He himself had joined to it the kingdom of Colchis, and other provinces on the coasts of the Euxine sea. His military establishment amounted to three hundred thousand foot, and forty thousand horse, besides auxiliaries from Thrace, and from that part of Scythia which lies on the Mœotis and the Tanais, countries over which he had acquired an ascendant approaching to sovereignty. He had pretensions likewise on the kingdoms of Bithynia and Cappadocia, which he had hitherto relin-

quished from deference to the Romans; or of which he had postponed the effect until he should be prepared to cope with this formidable power. All his pretensions, indeed, like those of other monarchies or states of any denomination, were likely to extend with his force, and to receive no limitation but from the defect of his power. And such were his resources, and his personal character, that if he had encountered on the side of Europe with an enemy less able than the Romans were to withstand his progress, it is probable that in his hands the empire of Pontus might have vied with that of the greatest conquerors recorded in history.

About the time that the social war broke out in Italy, Cassius Longinus, Manius Acquilius, and C. Oppius, were, in different characters, stationed in the province of Asia, and had taken under their protection every power in the country that was likely to oppose the king of Pontus in his progress to empire.

Nicomedes, who had been recently restored to the crown of Bithynia, made hostile incursions under the encouragement of his Roman allies, even into the kingdom of Pontus itself. And the king, having made fruitless complaints on this subject to the Roman governors in Asia; and thinking that the distracted state of Italy furnished him with a favourable opportunity to slight their resentment, he sent his son Ariarathes into Cappadocia with a force to expel Ariobarzanes, though an ally of the Romans, and to possess that kingdom. He took the field himself, and sent powerful armies, under his gene-

rals, against Nicomedes, and his Italian confederates, who, on their part, had assembled all the force of their province and of their allies, to the amount of an hundred and twenty thousand men, in different bodies, to defend their own frontier, or to annoy their enemy.

Mithridates fell separately upon the different parties which were thus forming against him; and having defeated Nicomedes, and afterwards Manius, obliged the Roman officers, with their ally, to retire; Cassius to Apamea, Manius towards Rhodes, and Nicomedes to Pergamus. His fleet, likewise, consisting of three hundred galleys, opened the passage of the Hellespont, took all the ships which the Romans had stationed in those straits; and he himself soon after in person traversed Phrygia and the Lesser Asia, to the sea of Cilicia and Greece. In all the cities of the Lesser Asia, where the people, as usual, upon a change of masters, now openly declared their detestation of the Roman dominion, he was received with open gates. He got possession of the person of Oppius, by means of the inhabitants of Laodicea, where this general had taken refuge with a body of mercenaries. These were allowed to disband; but Oppius himself was conducted as a prisoner to the head-quarters of Mithridates, and, in mockery of his state as a Roman governor, was made to pass through the cities in his way, with his fasces or ensigns of magistracy carried before him.

Manius Acquilius likewise fell into the hands of the enemy, was treated with similar scorn, and with a barbarity which nothing but the most criminal

abuse of the power he lately possessed could have deserved or provoked. Being carried round the cities of Asia mounted on an ass, he was obliged at every place to declare, that his own avarice had been the cause of the war; and he was at last put to death by the pouring of melted gold into his throat.

While Mithridates thus overwhelmed his enemies, and was endeavouring to complete his conquest of Asia by the reduction of Rhodes, he ordered his general Archelaus to penetrate by the way of Thrace and Macedonia into Greece.

Such was the alarming state of the war, when the Romans having scarcely appeased the troubles in Italy, appointed L. Cornelius Sylla, with six legions that lay in Campania, to embark for Greece, in order, if possible, to stem the torrent which no ordinary bars were likely to withstand.

But before Sylla or his colleague could depart for their provinces, disorders arose in the city, which, however secure from the approach of foreign enemies, brought armies to battle in the streets, and covered the pavements of Rome with the slain.

Publius Sulpicius, Tribune of the People, with a singular boldness and profligacy, ventured to tamper with the dangerous humours which were but ill suppressed in the event of the late troubles; and, unrestrained by the sad experience of civil wars and domestic tumults, lighted the torch anew, and kindled the former animosity of the popular and senatorian parties. The severe measures hitherto taken by the Senate and Magistrates against the authors of sedi-

tion, had, in some instances, been effectual to snatch the republic out of the hands of lawless men, and to suspend for a while the ruin which threatened the commonwealth; but the examples so given, instead of deterring others from a repetition of the same crimes, appear only to have admonished the factious leaders to take more effectual precautions, and to make the necessary provision of armed force before they embarked in designs against the State. They accordingly improved and refined by degrees on the measures which they successively took against the Senate; and when the Tribune Sulpicius began to act, the arrangements he made were equal to a system of formal war. This Tribune, according to Plutarch, had three thousand gladiators in his pay, and, in despite of the law of Plautius, had ever at his beck a numerous company of retainers armed with daggers and other offensive weapons; these he called his *Anti-senate;* and kept in readiness to be employed in attempts, which he was at no pains to disguise, against the authority of the Senate itself. He moved the People to recall from exile all those who had withdrawn from the city on occasion of the former disorders, and to admit the new citizens, and enfranchised slaves, to be enrolled promiscuously in all the Tribes without regard to the late wise limitation of the Senate's decree, by which they were restricted to a few. By the change which he now proposed, the citizens of least consideration might come to have a majority, or irresistible sway in the public deliberations. The Tribunes would become masters in every question, and fill up the rolls of

the People in the manner that most suited their interest.

This presumptuous man himself undertook to procure the freedom of the city for every person who applied to him, and boldly received premiums in the streets for this prostitution of the privileges and powers of his own constituents.

The more respectable citizens, and even the magistrates, in vain withstood these abuses. They were overpowered by force, and frequently driven from the place of assembly. In this extremity, they had recourse to superstition, and by multiplying holydays, endeavoured to stop or to disconcert their antagonists. But Sulpicius, with his party, laid violent hands on the Consuls, in order to force them to recall these appointments. Young Pompey, the son of the present Consul, and son-in-law to Sylla, was killed in the fray. Sylla himself, though withdrawn from the tumult, feeling that he was in the power of this desperate faction, and being impatient to get into a situation in which he could more effectually counteract their fury, chose for the present to comply with their demands *.

In the midst of these violences, the city being under an actual usurpation or tyranny, Sylla repaired to the army in Campania, with a resolution to pursue the object of his destination to Asia, and to leave the tribunitian storms at Rome to spend their force. But soon after his departure, it appeared that Marius was no stranger to the councils of

* Plutarch. in Mario, p. 526, edit. Londin. 4to.

Sulpicius; and that he hoped, by means of this Tribune, to gratify an ambition which outlived the vigour of his faculties, and the strength of his body. His first object was to mortify his rival Sylla, in revoking, by a decree of the People, the appointment of the Senate, and to supersede him in the command of the army against Mithridates. A decree to this purpose was accordingly with ease obtained by Sulpicius, in one of those partial conventions, which took upon them to represent the People of Italy in the streets of Rome; and Marius, now appointed general of the army in Campania, that was destined for the Asiatic war, sent the proper officers to notify his appointment to Sylla, and to receive from him, in behalf of his successor, the charge of the army, and the delivery of the stores. Sylla had the address to make the troops apprehend that this change was equally prejudicial to them as to himself; that Marius had his favourite legions whom he would naturally employ; and that the same act of violence, by which he had supplanted the general, would bring other officers and other men to reap the fruits of this lucrative service in Asia. This persuasion, as well as the attachment which the army already bore to their general, produced its effect *.

The officers who were charged to make known the appointment of Marius, on declaring their commission, found that violence could take place in the camp as well as in the city. Their orders were re-

* Appian. de Bell. Civil. lib. i.

ceived with scorn. A tumult arose among the soldiers; and citizens vested with a public character, formally commissioned to communicate an order of the Roman People, and in the exercise of their duty, were slain in the camp.

In return to this outrage, some relations and friends of Sylla were murdered at Rome, and such retaliations were not soon likely to end on either side *. Faction is generally blind, and does not see the use that may be made of its own violent precedents against itself. Although Sylla is said to have hesitated, yet he was not a person likely to shrink from the contest, in which his private enemies, and those of the State, had engaged him. Stung with rage, and probably thinking that force would be justified in snatching the republic out of such violent hands, he proposed to the army that they should march to Rome. The proposal was received with joy; and the army, without any of the scruples, or any degree of that hesitation which in adopting this measure is ascribed to their commander, followed where he thought proper to lead them.

On this new and dangerous appearance of things, not only Marius and Sulpicius, with the persons most obnoxious on account of the insults offered to Sylla and to other respectable citizens, were seized with consternation; but even the Senate and the Nobles, seeing questions of state likely to be decided by military force, were justly alarmed.

A faction, it is true, had assumed the authority of

* Plutarch. in Mario, edit. Lond. p. 526.

the Roman People, to violate the laws, and to overawe the State; but armies, it was thought, are dangerous tools in the quarrels of party; and no good intention on the part of their leaders, no magnanimity or moderation in the execution of their plans, can compensate the ruinous tendency of a precedent which brings force to be employed as an ordinary resource in political contests. Even the present state of the republic did not appear so desperate as to justify such a measure.

The Senate accordingly sent a deputation to Sylla, with entreaties, and with commands, that he would not advance to the city. This deputation was received by him within a few miles of the gates. He heard the remonstrance that was made to him with patience, and seemed to be moved: gave orders, in the hearing of the deputies, that the army should halt; sent the proper officers to mark out a camp, and suffered the commissioners to return to their employers, full of the persuasion that he was to comply with their request. But in this he only meant to deceive his antagonists; and having lulled them into a state of security, he sent a detachment close on the heels of the deputies of the Senate, with orders to seize the nearest gate, while he himself, with the whole army, speedily followed to support them.

The gate was accordingly seized. The People, in tumult, endeavoured to recover it; Marius secured the Capitol, summoned every person, whether freeman or slave, to repair to his standard; and multitudes assembled, as in a military station, to form

on the parade. Sylla, in the mean time, at the head of his army, rushed through the gate, of which his vanguard, though pressed by multitudes by whom they were attacked, were still in possession. He was greatly annoyed from the battlements and windows as he passed, and might have been repulsed by the more numerous army of Roman citizens in the streets, if he had not commanded the city to be set on fire, in order to profit by the confusion into which the People were likely to be thrown in avoiding or in extinguishing the flames. By this expedient he drove Marius from all the stations he had occupied, and obliged his adherents to disperse.

While the army was distributed in different quarters of a city, deformed with recent marks of bloodshed and fire, their general assembled the Senate, and called on them to consider the present state of affairs. Among the measures he suggested on this occasion, was a law by which Marius, with his son, and twelve of his faction, who had secreted themselves, were declared enemies of their country. This sentence was accompanied with a public injunction to seize or to kill them wherever they could be found. The reasons upon which this act of attainder was granted, were, that they had violated the laws, and seduced the slaves to desert from their masters, and to take arms against the republic *.

* Appian. de Bell. Civil. lib. i, p. 387. The names mentioned in this act of attainder or outlawry, were Sulpicius, Marius, father and son, P. Cethegus, Junius Brutus, Cneius and Pub. Granii, Albinovanus, Marcus Suctonius.

While the officers of justice were employed in execution of this decree, and many others were busy in search of their private enemies, thus laid at their mercy, the Tribune Sulpicius, having fled to the marshes on the coast near Laurentum, was dragged from thence and slain. His head, severed from the body, as that of a traitor, who had surpassed every leader of faction in the outrages done to the laws and the government of his country, was exposed on one of the rostra; an example afterwards frequently imitated, and which, though it could not enhance the evil of the times, became an additional expression of the animosity and rancour of parties against each other *.

Marius, upon his expulsion from Rome, retired to his own villa at Salonium; and being unprovided for a longer flight, sent his son to the farm of one Mutius, a friend in the neighbourhood, to procure what might be necessary for a voyage by sea. The young man was discovered at this place, and narrowly escaped in a waggon loaded with straw, which, the better to deceive his pursuers, he had ordered to take the road to Rome. The father fled to Ostia, and there embarked on board a vessel which was provided for him by Numerius, who had been one of his partisans in the preceding disorders. Having put to sea, he was forced by stress of weather to Circeii, there landed in want of every necessary, and made himself known to some herdsmen, of

* Velleius Paterculus, lib. ii, c. 19.

whom he implored relief. Being informed of the parties that were abroad in pursuit of him, he concealed himself for the night in a neighbouring wood. Afterwards, continuing his flight by the coast, and on his way to the town of Minturnæ, he was alarmed at the sight of some horsemen who seemed to be in search; made for the shore, and with much difficulty, got on board of a boat which was passing. The persons with whom he thus took refuge resisted the threats and importunities of the pursuers to have him delivered up to them, or thrown into the sea; but having rowed him to a supposed place of safety at the mouth of the Liris, they put him on shore, and left him to his fate. Here he first took refuge in a cottage, afterwards under a hollow bank of the river, and, last of all, on hearing the tread of the horsemen, who still pursued him, he plunged himself to the chin in a marsh; but, though concealed by the reeds and the depth of the water, he was discovered and dragged from thence all covered with mud. He was carried to Minturnæ, and doomed by the magistrates of the place to suffer in execution of the sentence which had been denounced against himself and his partisans at Rome. He was, however, by some connivance, allowed to escape from hence, again put to sea, and, at the island Ænaria, joined some associates of his flight. Being afterwards obliged to land in Sicily for a supply of water, and being known, he narrowly escaped with the loss of some of the crew that navigated his vessel. From thence he arrived on the coast of Africa, but, being forbid the province by the Prætor Sextilius,

continued to shift his abode among the islands or places of retirement on the coast *.

This adventurer was in his seventieth year, when, by means of popular tumults, he made this attempt to overturn the Roman republic, and when he strove to obtain the command of an army in the busiest and most arduous service which the Roman empire had then to offer. Being forced, by his miscarriage in this attempt, into the state of an outlaw, he still amused the world with adventures and escapes, which historians record with the embellishments of a picturesque and even romantic description. A Gaulish or German soldier, who was employed at Minturnæ to put him to death, it is said, overawed by his aspect, recoiled from the task; and the people of the place, as if moved by this miracle of the terrified soldier, concurred in aiding his escape †. The presence of such an exile on the ground where Carthage had stood, was supposed to increase the majesty and the melancholy of the scene. "Go," he said to the Lictor who brought him the orders of the Prætor to depart, "tell him that you have seen "Marius sitting on the ruins of Carthage ‡."

The Senate, thus restored to its authority, and, by the suppression of the late sedition, masters of the city, took the proper measures to prevent, for the future, such violations of order from being introduced under pretence of popular government. They resolved that no question of legislation should

* Plutarch. in Mario, edit. Lond. p. 534.
† Velleius Pater. lib. ii, c. 19. ‡ Plutarch. in Mario.

be agitated in the assembly of the Tribes *; and Sylla, before he left the city, thought proper to dispatch the election of consuls for the following year, but did not employ the power, which he now possessed, to make the choice fall on persons who were both of the senatorian party. Together with Octavius, who had the authority of the Senate at heart, he suffered Cinna, though of the opposite faction, to be vested with the powers of Consul, and only exacted a promise from him not to disturb the public tranquillity; nor, in his absence, to attempt any thing derogatory of his own honour †.

Having in this manner restored the city to an appearance of peace, Sylla set out with his army for its destination in Greece. Quintus Rufus, the other Consul of the preceding year, at the same time repaired to his province in the country of the Marsi, where, as has been mentioned, he was to succeed Cn. Strabo in the command of some legions; but being less agreeable to these troops than his predecessor had been, the soldiers mutinied upon his arrival and put him to death. Cn. Strabo, though suspected of having connived with them in this horrid transaction, was permitted to profit by it in keeping his station. So quick was the succession of crimes which distressed the republic, that one disorder escaped with impunity, under the more atrocious effects of another which followed.

---

* Appian. de Bell. Civ. lib. i.

† L. Florus, lib. iii, c. 21. Appian. de Bell. Civil. lib i.

When Sylla was about to depart from the city, *Virgilius*, one of the Tribunes, moved an impeachment against him for the illegal steps he had lately taken. But the state of the war with Mithridates was urgent, and Sylla took the benefit of the law of Memmius, by which persons named to command had a privilege when going on service to decline answering any charge which should be brought against them, to impede their departure.

U. C. 666. L. Corn. Cinna, Cn. Octavius, Coss.

The king of Pontus, notwithstanding he had been disappointed in his attempt upon Rhodes, was become master of the Lesser Asia, had fixed his residence at Pergamus, and employed his officers, with numerous fleets and armies, to continue his operations in different quarters, making rapid acquisitions at once on the side of the Scythian and Thracian Bosphorus in Macedonia and in Greece. His general, Archelaus, had reduced most of the Greek islands, and was hastening to make himself master of the continent also. Delos had revolted, and had thrown off the yoke of Athens, at the time that it fell into the hands of this general. The king proposed to make use of it as a decoy to bring the Athenians themselves under his power. For this purpose, pretending veneration for the god to whom this island was sacred, he expressed a desire to restore it, with the treasure he had seized there, to its former condition; and sent Aristion, a native of Athens, but now an officer in his own service, with an escort of two thousand men, to deliver this treasure into the hands of the Athenians. Aristion be-

ing, under this pretence, received into the Pyræus, took possession of the place, and continued to hold it, with the city of Athens itself, for Mithridates, who, by means of the reinforcements sent into Attica, soon after enabled him to overrun Bœotia, Achaia, and Laconia.

To these alarming encroachments on the Roman territory, and to the personal injuries done to such of their generals as had fallen into his hands, Mithridates had joined a barbarous outrage, which roused, in the highest degree, the resentment of the Roman People. He had sent orders to all his commanders in every town and station in Asia, on a day fixed, to begin a massacre of the Roman citizens that were any where settled in that country, and to publish a reward for the slaves of any Roman who should succeed in destroying their master. This order was executed with marks of insult, in which the vile instruments of cruelty, for the most part, are apt to exceed their instructions. It is particularly mentioned, that at Ephesus, Pergamus, and other cities of Asia, entire families, without distinction of sex or age, infants with their parents, taking refuge in the temples, and embracing the altars, were dragged from thence and murdered. But the number of persons who perished in this massacre, if ever known, is no where mentioned *.

The resentment which was natural on this occasion, together with the real danger that threatened the empire, fully justified the contempt with which

* Appian. de Bell. Mithrid. p. 585, 586.

Sylla treated the impeachment of Virgilius, and the celerity with which he left the city of Rome. Having transported to Dyrrachium an army of six legions, he took the route of Thessaly and Ætolia; and having raised in these countries contributions for the pay and subsistence of his army, he received the submission of the Bœotians, who had lately been obliged to declare for Mithridates, and advanced to Athens, where Aristion in the city, and Archelaus in the Pyræus, were prepared to make a vigorous resistance. Mithridates, who was master of the sea, collected together all the troops which he had distributed in the islands, and ordered a great reinforcement from Asia to form an army on the side of Bœotia for the relief of Athens.

Sylla, to prevent the enemy, hastened the siege of this place. He first made an attempt to force his way into the Pyræus by scaling the walls; but being repulsed, had recourse to the ordinary means of attack. He erected towers, and raising them to the height of the battlements, got upon the same level with the besieged, and piled his missiles from thence. He shook the walls with battering engines, or undermined them with galleries, and made places of arms for his men near to where he expected to open a breach. But the defence of the place was vigorous and obstinate, and so well conducted, that he was obliged, after many fruitless efforts, to turn the siege into a blockade, or to await the effects of famine, by which the city began already to be pressed, and by which it was in a little time brought to the last extremity. Those who were confined in the

place, had consumed all the herbage, and killed all the animals that were to be found within the circuit of the walls; they were reduced to feed on the implements of leather, or other materials that could be turned into sustenance, and came at last to prey upon the carcases of the dead. The garrison was greatly diminished in numbers; and of those who remained, the greater part was dispirited and weak: but Aristion, on account of the treacherous manner in which he had seized the place, expecting for himself no quarter from the Roman general, still withstood the desire of his troops to capitulate; when Sylla, knowing the weak state to which the besieged were reduced, made a vigorous effort, stormed and forced the walls with great slaughter. Aristion, who had retired into the Acropolis, was soon afterwards taken and slain.

Archelaus, likewise greatly distressed in the Pyræus, found means to escape by water, and leaving the post he abandoned to be occupied by Sylla, who razed its fortifications to the ground, he hastened to join the army that was forming by order of his master on the side of Thessaly.

The army of Mithridates advanced into Bœotia. Every part of it was sumptuously provided with all that was necessary for subsistence or parade. There was a numerous cavalry richly caparisoned; an infantry of every description, variously armed, some to use missile weapons, others to engage in close fight; a large train of armed chariots, which, being winged with scythes, threatened to sweep the plains. The whole army amounted to about an hundred and

twenty thousand men. But their master, with all his ability, it appears, in the manner of barbarous nations, relied on the numbers of his host, to the neglect of its order, or the proper conduct of its strength. Sylla was to oppose this multitude, with no more than thirty thousand men.

On this inferior enemy, Archelaus continually pressed with all his forces, and endeavoured to bring on a general action, which Sylla cautiously avoided; waiting for an opportunity that might deprive the enemy of the advantage he had in the superiority of his numbers. The armies being both in Bœotia, Archelaus inadvertently took post near Cheronea, on the ascent of a steep hill that was formed into natural terraces by ledges of rocks, and which terminated at last in a peak or narrow summit. On the face of this hill he had crowded his infantry, his cavalry, and his chariots, and trusted that, although the ground was unfavourable to the operations of such an army, it was still inaccessible, and they could not be attacked.

While the Asiatic general, therefore, believed himself secure in this position, the Roman continued to observe him from the post he had fortified at a little distance; and was told by some natives of the country, that the hill which Archelaus had occupied might be ascended in his rear, and that a body of men might be conducted safely and unobserved to the summit. Upon this information Sylla formed his plan to engage the enemy, sent a powerful detachment with proper guides to seize on the heights above their encampment, while he himself

advanced with his main body in front of their station, and by this means diverted their attention from what was passing on the opposite quarter, while he himself was prepared to profit by any confusion which might be occasioned by an alarm from thence.

The unexpected appearance of an enemy on the rear, produced the alarm that was intended, in the Asiatic camp. The impetuous descent they were ordered to make from the hill, drove all in confusion before them. The rear fell down on the front. A great uproar and tumult arose in every part. In this critical moment, Sylla, with the main body, began his attack in front, and soon broke into the midst of enemies, who were altogether unprepared to receive him; or who being crowded in a narrow space, and mixed with little distinction of separate bodies, of officers or men, and, under the disadvantage of their ground, could neither resist nor retire. In the centre, numbers were trod under foot by those who pressed upon them from every side, and perished by violence or suffocation; or, while they endeavoured to open a way to escape, employed their swords against one another. Of an hundred and twenty thousand men, scarcely ten thousand could be assembled at Chalcis in Eubœa, the place to which Archelaus directed his flight. Of the Romans, at the end of the action, only fifteen men were missing, and of these two returned on the following day *.

Archelaus, even after this rout of his army, being still master at sea, drew supplies from Asia and from

* For this particular, Plutarch quotes the Memoirs of Sylla himself.

the neighbouring islands; and, being secure in his retreat in Eubœa, made frequent descents on the neighbouring coasts. While Sylla endeavoured to cover the lands of Bœotia and Attica from these incursions, Mithridates made great efforts to replace his army in that country; and in a little time had transported thither eighty thousand fresh troops under Dorilaus, to whom Archelaus joined himself with those he had saved from the late disaster. The new army of Mithridates, consisting chiefly of cavalry, was greatly favoured by the nature of the ground in Bœotia, which was flat and abounding in forage. Sylla, though inclined to keep the heights on which he was least exposed to the enemy's cavalry, was, in order to cover the country from which he drew his subsistence, obliged to descend to the plains in the neighbourhood of Orchomenos. There he took post among the marshes, and endeavoured to fortify himself with ditches against the enemy's horse. While his works were yet unfinished, being attacked by the Asiatic cavalry, not only the labourers, but the troops that were placed under arms to cover the workmen, were seized with a panic, and fled. Sylla, having for some time in vain endeavoured to rally them, laid hold of an ensign, and rushed in despair on the enemy. "To me," he said, "it is glorious "to fall in this place: but for you, if you are asked "where you deserted your leader, you may say at "Orchomenos." Numbers who heard this reproach, returned to the charge with their general; and wherever they presented themselves, stopped the career of the enemy, and put them to flight. The Roman

army at length recovered itself in every part of the field; and Sylla, remounting his horse, took the full advantage of the change of his fortune, pursued the enemy to their camp, and forced them to abandon it with great slaughter.

After the loss of this second army, Mithridates appears to have despaired of his affairs in Greece: he suffered Sylla to enter into quiet possession of his winter quarters in Thessaly, and authorised Archelaus to treat of peace.

Both parties were equally inclined to a conference; the king of Pontus urged by his losses, and the Roman Proconsul by the state of affairs in Italy. There, though commanding in Greece by authority from the Roman Senate, Sylla had been degraded, and declared a public enemy, by a formal sentence or resolution of the People at Rome. An officer had been sent from Italy to supersede him; and a Roman army, independent of his orders, was actually employed in the province. Mithridates too, while he had sustained such losses in Greece, was pressed by the other army in Asia, under the command of Fimbria, who, with intentions equally hostile to Sylla as to Mithridates, advanced with a rapid pace, reduced several towns on the coast, and had lately made himself master of Pergamus, where the king himself had narrowly escaped falling into his hands. In these circumstances, a treaty was equally seasonable to both.

Sylla had been absent from Rome about two years, during which time, having no supplies from thence, he had supported the war by the contributions which

he had raised in Greece, Ætolia, and Thessaly, and with the money he had coined from the plate and treasure of the Grecian temples *. The republic, in the mean time, had been in the possession of his personal enemies, and the authority of the Senate was, in a great measure, suppressed. For soon after his departure from Rome, his antagonist Cinna, notwithstanding the engagements he had come under, revived the project of keeping the more respectable citizens in subjection, under pretence of regulations enacted by the collective body of the People.

The designation of a party now in power was the same with that which had distinguished the followers of Tiberius and Caius Gracchus; but the object was changed, and that which was termed the popular faction was itself differently composed. Formerly this faction consisted of the populace of Rome and of the poorer citizens, opposed to the noble and the rich. The objects for which they at that time contended, were the distribution of corn, new settlements, or the division of lands. At present the parties consisted of the inhabitants of the country towns lately admitted, or still claiming to be admitted, on the rolls of the People on one side, and of the Senate and ancient citizens on the other. The object to which the former aspired, was a full and equal participation in all the powers that belonged to the Roman People. They were far from being satisfied with the manner of their enrolment into a few particular Tribes, and laid claim to be admitted with-

* Plutarch, in Sylla et Lucullo.

out distinction among the ancient citizens, and like them to have consideration and power proportioned to their numbers. In this they were supported by Cinna, who made a motion in their favour in the assembly of the People, and at the same time proposed to recall Marius and the other exiles of that party from their banishment. The Consul Octavius, with the majority of the Senate and ancient citizens, opposed their designs; but Cinna was likely to have a powerful support in the friends of the exiles, and in the new citizens, who flocked from every town in the country. On the day appointed for the discussion of this question, his partisans, in great numbers, took possession of the place of assembly, and were observed to be armed with daggers or short swords. Octavius was attended at his own house by a numerous company of the ancient citizens, who were armed in the same manner, and waited to take such measures as the necessity of the case might require. Being told that the Tribunes who had forbidden the question were violently attacked, and likely to be driven from the place; these adherents of the Senate came forth into the streets, and drove their antagonists, with some bloodshed, through the gates of the city. Cinna endeavouring to make head against his colleague, invited the slaves, under a promise of liberty, to his standard. But finding it impossible within a city, that was occupied by his opponents, to withstand their force, he withdrew to the country towns, and solicited supplies from thence. He passed through Tibur and Præneste to Nola, and openly implored the inhabitants to aid him against

their common enemies. On this occasion he was attended by Sertorius, and by some other Senators who had embarked in the same ruinous faction. Their solicitations at any other time might, perhaps, have been fruitless; but now, to the misfortune of the republic, a number of armies were still kept on foot in Italy, to finish the remains of the social war. Cn. Strabo commanded one army in Umbria, Metellus another on the confines of Lucania and Samnium, and Appius Claudius a third in Campania. These armies consisted chiefly of indigent citizens, become soldiers of fortune, very much at the disposal of the leaders in whose name they had been levied, to whom, as usual, they had sworn the military oath, and on whom they depended for the settlements and rewards which they were taught to expect at the end of their services. Such men were inclined to take part in the cause of any faction that was likely, by the expulsion and forfeiture of any one class of the citizens, to make way for preferments and fortunes to those who were employed to expel them.

Cinna distrusted Pompey and Metellus; but hoping for a better reception from Appius Claudius, he repaired to the camp of this general, and had the address to gain the troops who were under his command.

Octavius and Merula.

Meantime the Senate, without entering into any particular discussion of the guilt which Cinna had incurred in the late tumult at Rome, found that, by having deserted his station, he had actually divested himself of his office as Consul, and they obtained the election of

L. Cornelius Merula, to supply the vacancy which his desertion had occasioned.

Marius, being informed that one of the armies in Italy, with a Roman Consul at its head, was prepared to support him, made haste from his exile in Africa: he landed in Tuscany, was joined by numbers, and on his approach to Rome had an offer of being vested with the ensigns of Proconsul. But intending to move commiseration or pity, he declined every privilege of a Roman citizen, until the sentence of attainder or banishment, which had been pronounced against him, should be formally reversed. He accordingly presented himself to the People as he passed, in the manner practised by suppliants, with a mean habit, and in the ghastly figure to which he was reduced by the distress of his exile; but with a countenance, says his historian, which, being naturally stern, now rather moved terror than pity *. He implored the protection of the country-towns, in whose cause he pretended to have suffered, and whose interests were now embarked on the same bottom with his own. He had many partisans among those who had composed the legions which formerly served under his own orders, had reputation and authority, and soon assembled a considerable force, with which, in concert with Cinna, Sertorius and Carbo, he advanced towards Rome.

These adventurers invested the city in three separate divisions. Cinna and Carbo lay before it: On the Appian way, Sertorius took post on the ri-

* Plutarch. in Mario.

ver above, and Marius below it. The last, to prevent supplies from the sea, made himself master of the port of Ostia: Sertorius had sent a detachment to Ariminum, to prevent any relief from the side of Gaul.

In this extremity the Senate applied to Metellus, requesting that he would make any possible accommodation with such of the Italian allies as were still under arms, and hasten to the relief of the city. The delays which he made in the execution of these orders enabled Cinna and Marius to prevent him in gaining the allies, who at this time had it in their option to accept the privileges they claimed from either party; and, having chosen to join themselves with the popular faction, they threw their weight into that scale.

Metellus, however, advanced into Latium; and, being joined by the Consul Octavius, took post on the Alban Hill. From thence they found that the troops, being inclined to favour their enemies, deserted apace. The commander himself being left with a few attendants, despaired of the cause, and withdrew into Africa. Octavius found means to enter the city, and resumed his station.

The army lately commanded by Pompeius Strabo, was now deprived of its general; he having been killed by lightning in his camp. And the Senate was not inclined to repose any confidence in the men he had commanded. He himself had some time hesitated between the parties; and the troops, at his death, were still supposed undecided in their choice. With so uncertain a prospect of support,

the Senate thinking it more safe to capitulate with Cinna and Marius, than to remain exposed to the horrors of a storm; offered to reinstate Cinna in the office of Consul, and to restore Marius, with the other exiles, to their condition of Roman citizens; only stipulating that they would spare the blood of their opponents, or proceed in their complaints against them according to the laws of the commonwealth.

While this treaty was in dependence, Marius, affecting the modesty of a person whom the law, according to his late sentence of banishment, had disqualified to take any part in the State, observed a sullen and obstinate silence. Even when the terms were settled, and the gates were laid open to himself and his followers, he refused to enter until the attainder under which he lay should be taken off, and until he were replaced in his condition as a citizen of Rome. The People were accordingly assembled to repeal their former decree. But Marius, in the character of a practised soldier, proposing to take his enemies by surprise, did not wait for the completion of the ceremony he himself had exacted. While the ballots were collecting, he entered the city with a band of armed men, whom he instantly employed in taking vengeance on those who had concurred in the late measures against him. Although the gates, by his orders, were secured, many of the Senators found means to withdraw. The house of Sylla was demolished; such as were reputed his friends were slain; his wife and his children narrowly escaped. Among the signals by which

Marius directed the execution of particular persons, it was understood that if he did not return a salute which was offered him, this was to be considered as a warrant for immediate death. In compliance with these instructions, some citizens of note were laid dead at his feet. And as the meanest retainers of his party had their resentments as well as himself, and took this opportunity to indulge their passions, the city resembled a place that was taken by storm, and every quarter resounded with the cries of rage or of terror; a horrid scene, which continued without intermission during five days and five nights. The Consul Octavius was murdered in his robes of office, and in presence of his lictors; two Senators of the name of Cæsar, Caius and Lucius; two of the name of Crassus, the father and the son, attempting to escape, but likely to be taken, fell by their own hands; Attilius Serranus, Publius Lentulus, C. Numitorius, and M. Bæbius, being murdered by persons who bore them a particular hatred, the bodies were fastened on a hook, and dragged by a rope through the streets; Marcus Antonius, one of the first Roman Senators, who had betaken himself entirely or chiefly to the practice of a Pleader at the bar and in the Senate, from which he is known by the name of the Orator, being discovered in a place of concealment, was killed by assassins sent for the purpose. The heads of the others were exposed on the rostra; that of Antonius was placed on the table of Marius, to whom the sight, from peculiar motives of envy or resentment, was singularly gratifying. Catulus, once the colleague of Marius himself in the

Consulate, and partner in his last and most decisive victory over the Cimbri, without question one of the most respectable Senators of the age, being included in the warrant for general execution, had numbers to solicit for his life; but Marius, exasperated the more by this appearance of popular regard in his favour, made a short answer, *He must die.* And this victim, choosing to avoid by a voluntary death the insults likely to be offered to his person, having shut himself up in a close chamber, with a brasier of burning charcoal, perished by suffocation. Merula, the Flamen Dialis, or Priest of Jupiter, whose name, without his own knowledge, had been inscribed Consul upon the degradation of Cinna, now likewise, willing to maintain to the last the dignity of his station, opened his own arteries at the shrine of his god, sprinkling the idol with his blood. As he felt the approach of death, he tore from his head the apex or crest of the order, which he bore, and with which, by the maxims of his religion, he could not part while in life, but with which on his head it would have been impious, and ominous of evil, to have died. In observing this ceremony, he called upon those who were present to witness the exactness with which he performed his duty.

The horrors of this massacre are to be imputed chiefly, if not entirely to the fury of Marius, acting from the original asperity of his own mind, stung with animosity to every distinction of birth, education, or manners, which marked the superior order of citizens, and now wrought up by recent disappointments of ambition, and by his sufferings in ex-

ile, into a detestation and rancour, which nothing short of such a scene could assuage. In most other places, indeed, instruments would have been wanting for the execution of such a work: But at Rome were found in sufficient numbers, fugitive slaves, eager to avenge their own sufferings, in the blood of their masters; parties in private quarrels; thieves, expecting plunder, in the murder of the wealthy; a populace, such as every where is capable of the wildest disorder, when assembled in occasional tumults, but here peculiarly nursed in scenes of license, with pretensions to political importance, and even to sovereignty, detesting the superior orders of the state, by whom they felt themselves restrained; indigent, but looking for relief, not to their own industry or honest arts, but to gratuities, obtained by corruption or public profusion. In their very entertainments or sports, whether fights of gladiators, or baiting of wild beasts, trained to a ruthless insensibility and indifference to blood: Such men, having the example and authority of a leader, whom they had long considered as the champion of their cause, and having the several objects of their fury at mercy, burst out into a scene of wild devastation, attended with murders, rapes, and every species of outrage, which could arise from the suspension of government in a State, where the disorderly were found in such numbers, and the most powerful restraints were necessary.

Cinna himself, though equally bent with his associate on measures to recover his power, and to restore his party, but having fewer resentments to gratify, was shocked with these enormities, and in-

terposed his authority to restrain them. The mandates of office being insufficient for this purpose, he had recourse to military force, and driving all who were found in the perpetration of such crimes into places inclosed, or into the recess of squares or narrow streets, had them in great numbers, without inquiry or distinction, put to the sword.

Some degree of respite or calm being obtained by these means, it was proposed to resume the appearance of regular government, as far as the times could allow. The Consulate of Cinna was accordingly restored; and Marius, though without any form of election, associated in the office. In such a season of terror, there could not be any risk to the party in recurring to the ordinary suffrage of the People; but an election was deemed unnecessary, and the ensigns of office were assumed without it.

Marius, though now preceded in form by the Lictors, could not return to the habits of a legal magistrate. The objects of his resentment were still sacrificed to his fury, without any trial, and under his own inspection. But, in the midst of cries which were occasioned by these executions, the name of Sylla, and the fame of his victories in Greece, gave continual presage of a retribution, no way likely to fall short of the provocation which was now given in the subversion of public order at Rome. And although the principal author of these wrongs was not destined to abide the future consequences in his own person, the immediate effect to him was sufficiently awful. Even the obdurate soul of Marius, unable to endure such a load of guilt and re-

morse, passed from the agitation of fury to that of terror and nocturnal fears, which gave evident signs or indications of a disordered mind. Some one, he imagined, continually sounded in his ears the words of a poet, *Horrid is the dying lion's den;* and these words being applied to himself, seemed to announce his approaching dissolution. He took to the use of wine in excess, contracted a pleurisy, and died on the seventh day of his illness, in the seventeenth day of his last or seventh consulate, and in the seventieth year of his age; leaving the tools he had employed in subverting the government of his country to pay the forfeit of his crimes.

Livy, it appears * from the remaining epitome of this part of his work, had made it a question, whether this celebrated personage had been most useful to his country as a soldier, or pernicious as a citizen. It has happened unfortunately for his fame, that he closed the scene of life with examples of the latter kind. In what degree he retained his genius or abilities cannot be known. His insatiable thirst of power, like avarice in the case of the superannuated miser, seemed to grow with age. His hatred of the Nobles, contracted in the obscurity of his early life, remained with him after he himself had laid the amplest foundations of Nobility in his own family. And he died in an attempt to extinguish all just or regular government, in the blood of those who were most eminently qualified or disposed to sustain it.

* Livy, Epitome, lib. viii. Appian. de. Bell. Civil. lib. i. Plutarch in Mario. Florus, lib. iii, c 21. Velleius Pater. lib. ii, c. 19, &c. Dio. Cass. in Fragmentis.

Upon the death of Marius, the government remained in the hands of Cinna. While many of the Senators, and other citizens obnoxious to the prevailing party, had taken refuge with Sylla: this general himself was declared a public enemy; his effects were seized; his children, with their mother, having narrowly escaped the pursuit of his enemies, were fled to the father in Greece. In these circumstances he made not any change in his conduct of the war, nor made any concessions to the enemy against whom he was employed. He talked familiarly every day of his intention to suppress the disorders at Rome, and to avenge the blood of his friends, but not till he had forced Mithridates to make reparation for the wrongs he had done to the Romans and to their allies in Asia.

Alarmed by the report of such threats, Cinna took measures to strengthen his own party; assumed, upon the death of Marius, Valerius Flaccus as his colleague in the office of Consul; and, having assigned him the command in Asia, with two additional legions, trusted, that with this force he might obtain possession of the province, and furnish to Sylla sufficient occupation beyond the limits of Italy.

But Flaccus, upon his arrival in Thessaly, was deserted by part of the army he was destined to employ; and passing through Macedonia in his route to Asia with the remainder, a dispute arose between himself and his lieutenant Fimbria, which ended in the murder of the Consul, and in the succession of Fimbria to the command. So little deference or respect did soldiers of fortune pay, in the disorder

of those unhappy times, even to the heads of a party they professed to serve.

Fimbria, with the troops he had seduced to his standard, after he had assassinated their general, made a rapid progress in Asia, and hastened, as has been observed, the resolution to which Mithridates was come, of applying for peace. To this stately but crafty prince, urged by the necessity of his own affairs, the conjuncture appeared to be favourable, when so much distraction took place in the councils of Rome. He had experienced the abilities of Sylla; he knew his eager desire to be gone for Italy, and to be revenged of his enemies; and he expected to gain him by proffering assistance in the war he was about to wage with the opposite party at Rome.

Upon a message from Archelaus, Sylla readily agreed to an interview in the island of Delos; and here being told, in the name of Mithridates, that he should have money, troops, and shipping to make a descent upon Italy, provided he would enter into a confederacy with the king of Pontus, or join him in a war with the Romans, by whom he himself was now proscribed, Sylla, in his turn, proposed to Archelaus to desert Mithridates, to deliver up the fleet and army which was under his command, and to rely for protection and reward on the faith of the Romans. They will speedily seat you, he said, on the throne of Pontus. Archelaus having rejected this proposal with horror, "And you," says Sylla, "the "slave, or (if you prefer that title) the friend of a "barbarous tyrant, will not betray your trust, and "yet, to me, have the presumption to propose an

" act of perfidy. The fields of Chæronea and Or-
" chomenos should have made you better acquaint-
" ed with the character of a Roman."

Upon this reply Archelaus saw the necessity of purchasing the treaty he was instructed to obtain, and accordingly made the following concessions:

That the fleet of Pontus, consisting of seventy galleys, should be delivered up to the Romans.

That the garrisons should be withdrawn from all places which had been seized in the course of this war.

That the Roman province in Asia, together with Paphlagonia, Bithynia, and Cappadocia, should be evacuated, and the frontier of Pontus, for the future, be the boundary of Mithridates's territory.

That the Romans should receive two thousand talents *, to reimburse their expence in the war.

That prisoners should be restored, and all deserters delivered up.

While these articles were sent to Mithridates for his ratification, Sylla in no degree relaxed the measures he had taken to secure and to facilitate the passage of his army into Asia. He sent Lucullus † round every station on the coast to procure an assemblage of shipping; and he himself, after having made some incursions into Thrace, to gratify his army with the spoil of nations who had often plundered the Roman province, continued his route to the Hellespont; but on his way he was met by the messengers of Mithridates, who informed him that their

* About L. 386,000. † Vide Plutarch. in Lucullo.

master agreed to all the articles proposed, except to that which related to the cession of Paphlagonia; and at the same time made a merit of the preference he had given to Sylla in this treaty, as he might have obtained more favourable terms from Fimbria. "That is a traitor," said Sylla, "whom I shall "speedily punish for his crimes. As for your mas- "ter, I shall know, upon my descent in Asia, whe- "ther he chooses to have peace or war."

Being arrived at the Hellespont, he was joined by Lucullus with a number of vessels, which enabled him to pass the strait. Here he was met by another message from Mithridates, desiring a personal interview; which was accordingly held in the presence of both armies, and at which the king of Pontus, after some expostulations, agreed to all the conditions already mentioned. In this he probably acted from policy, as well as from the necessity he felt in the present state of his affairs. He still hoped, that in consequence of this treaty, he might turn the arms of Sylla against the Romans, and trusted that the peace he obtained for himself in Asia was to be the beginning of a war in Italy, more likely to distress his enemies than any efforts he himself could make against them. With this reasonable prospect he retired into his own kingdom of Pontus; and there, strengthening himself by alliances and the acquisition of territory on the northern coasts of the Euxine, he prepared to take advantage of future emergencies, and to profit by the state of confusion into which the affairs of the Romans were likely to fall.

Sylla having brought the Mithridatic war to an issue so honourable for himself, and having every where gratified his army with the spoils of their enemies, being possessed of a considerable sum of money and a numerous fleet, and being secure of the attachment of the legions, who had experienced his liberality, and rested their hopes in future on the success of his enterprize, prepared to take vengeance on his enemies, and those of the republic in Italy. He proceeded, however, with great deliberation and caution; and, as if the State at Rome were in perfect tranquillity, staid to reduce the army of Fimbria, to resettle the Roman province, and to effect the restoration of the allies, Nicomedes and Ariobarzanes, to their respective kingdoms of Cappadocia and Bithynia.

Fimbria being required by Sylla to resign a command which he had illegally usurped, retorted the charge of usurpation, and treated Sylla himself as an outlaw: but upon the approach of this general, being deserted by his army, he fled to Pergamus, and there had an end put to his life by the hands of a slave, of whom he exacted this service. To punish the province of Asia for its defection to Mithridates, Sylla obliged the inhabitants to pay down a sum equal to five years' ordinary tax. He sent Curio to replace on their thrones the kings of Cappadocia and Bithynia, who had persevered in their alliance with Rome, and sent an account of these particulars to the Senate, without taking any notice of the edict by which he himself had been stripped of his com-

mand, and declared an enemy *. Before he set sail, however, for Italy, he thought proper to transmit a memorial, setting forth his services and his wrongs, as well as the injury done to many Senators who had taken refuge in his camp, and concluding with menaces of justice against his own enemies and those of the republic, but assuring the citizens in general of protection and security. This paper, being read in the Senate, appeared to alarm many of the members: even those who had least to fear from the threats it contained, wished for expedients to reconcile the parties, and to avert the evils which the republic must suffer from their repeated contentions. A soothing answer was accordingly sent to the memorial of Sylla, and earnest entreaties were made to Cinna, that he would suspend his levies until a reply could be obtained from his antagonist. But Cinna,

U. C. 669. L. Cornelius Cinna 4to, Cn. Papirius Carbo.

in contempt of these pacific intentions, took measures to sustain the war; divided the fasces with Cn. Papirius Carbo, whom, without any form of election, he assumed for his colleague in the Consulate; and, in the partition of provinces, retained for himself the administration in Italy, while he assigned to Carbo the command in the neighbouring Gaul. These titular magistrates, with all the adherents of their faction, betook themselves in haste to the forming of troops, and securing the fidelity of the towns within the several divisions which they had received in charge.

* Appian. in Bell. Mithridat. Plutarch. in Syll.

Carbo exacted hostages for their good behaviour from all the towns in his district; but as he had not any regular authority from the Senate for this measure, he found himself unable to give it effect. To Castricius, the chief magistrate of Placentia, a person of great age, who refused to comply with his orders, "Have not I your life in my power?" he said. "And have not I," said the other, "already had "life enough *?"

Cinna, however, having mustered a considerable force, and intending to make head against Sylla in Thessaly, through which he was expected to pass in his way to Italy, was about to transport his army thither; when the troops being averse to embark, he himself, endeavouring to force them, was killed in a mutiny. A general disorder and anarchy pervaded the party. The election of a successor to Cinna was twice interrupted by supposed unfavourable presages, and Carbo remained sole Consul.

At this time an answer was received from Sylla to the proposals made by the Senate towards a reconciliation of parties. In this, he declared, "That "he never could return into friendship with persons "guilty of so many and such enormous crimes. If "the Roman People, however, were pleased to "grant an indemnity, he would not interpose, but "should venture to affirm, that such of the citizens "as chose, in the present disorders, to take refuge "in his camp, would find themselves safer than in "that of his enemy's." He had embarked his ar-

* Val. Max. lib. vi, c. 2.

my at Ephesus, and in three days reached the Pyræus, the port of Athens. Here he was taken ill of the gout, and was advised to use the hot baths at Adipsus; at which he accordingly passed some time, and with singular force of mind, as if divested of all public or private distress, amused himself, in his usual way, with persons of humour, and ordinary company. His fleet, in the meantime, consisting of twelve hundred ships, coasted round the Peloponnesus, and took on board the army which had marched by Thessaly to Dyrrachium. Being apprehensive that some part of the legions, upon landing in Italy, and with so near a prospect of returning to their homes, might desert, or, trusting to their consequence in a civil war, might become disorderly and distress the inhabitants, he exacted a special oath, by which every man bound himself, upon his arrival in Italy, to abide by his colours, and to observe the strictest order in his march through the country. The troops, wishing to remove all the remains of a distrust which had suggested this precaution, not only took the oath, but made voluntary offer of a contribution towards the support of the war; and Sylla, without accepting the aid which was proffered to him, set sail with the additional confidence which this proof of attachment in the army inspired.

He had, according to Appian, five Roman legions, with six thousand Italian horse, and considerable levies from Macedonia and Greece, amounting, in all, to about sixty thousand men. With this force he landed in Italy, in the face of many different ar-

mies, each of them equal or superior in number to his own.

Those now at the head of the commonwealth were supposed to have on foot, at different stations, above two hundred thousand men. L. Cornelius Scipio and C. Junius Norbanus, who were leaders of the party, being in possession of the capital and of the place of election, were named for Consuls. Norbanus, as acting for the republic, commanded a great army in Apulia; Scipio, another on the confines of Campania. Sertorius, young Marius, with Carbo, in the quality of Proconsul, and others, (as Plutarch quotes from the memoirs of Sylla), to the number of fifteen commanders, had each of them armies, amounting in all to four hundred and fifty cohorts *; but of these different bodies none attempted to dispute the landing of Sylla, nor, for some days, to interrupt his march. He accordingly continued to advance as in a friendly country, and in the midst of profound peace. The inhabitants of Italy, considering the superior class of the People at Rome, in whose cause now Sylla appeared, as averse to the claim they had made of being promiscuously enrolled in the Tribes, were likely to oppose him, and to favour the faction which had for some time prevailed in the State. To allay their fears, or to prevent their taking an active part against himself, Sylla summoned the leading men of the country towns as he passed, and gave them assurances that he would con-

U. C. 670. L. Corn. Scipio, C. Jun. Norbanus.

* About 225,000 men.

firm the grants which had been made to them, if they did not forfeit these and every other title to favour, by abetting the faction which had subverted the government.

On his march he was joined by Metellus Pius, who, as has been observed, after a fruitless attempt, in conjunction with the Consul Octavius, to cover Rome from the attack of the elder Marius and Cinna, had withdrawn to Africa; and being forced from thence by Fabius, returned into Italy. This officer being in Liguria, where he still retained the ensigns of Proconsul, had some forces on foot, and was sustaining the hopes of his party, when so great a change was made in their favour as was produced by the arrival of an army from Greece.

Sylla was likewise, about the same time, joined by Cneius Pompeius, son to the late Consul Pompeius Strabo, who, though too young for any formal commission, had assembled a considerable body of men, and already made himself of importance in the present struggle. Being now only about nineteen years of age, he was remarked for engaging manners, and a manly aspect, which procured him a general favour and an uncommon degree of respect *. This distinction being unsought for, was possibly felt by him as a birth-right, or gave him an early impression of that superiority to his fellow-citizens which he continued to bear through the whole of his life. He had served in those legions with which Cinna intended to have carried the war against Syl-

* Plutarch. in Mario.

la into Asia or Greece; but, being averse to the party, had withdrawn when that army was about to embark, and disappearing suddenly, was supposed to have been murdered by the order of Cinna, a suspicion, which, among other circumstances, incited his soldiers to the mutiny in which their general was killed. Sylla appears himself to have been won by the promising aspect of the young Pompey, and received him with distinguished marks of regard.

Numbers of the Senate and Nobles, who had hitherto remained exposed at Rome to the insults of their enemies, now repaired to the camp of Sylla. The Consul Norbanus, being joined by young Marius, lay at Canusium. Sylla, while he was preparing to attack them, sent an officer with overtures of peace; these they rejected with marks of contempt. This circumstance had an effect which Sylla perhaps foresaw or intended. It roused the indignation of his army, and, in the action which followed, had some effect in obtaining a victory, in which six thousand * of the enemy were killed, with the loss of only seventy men to himself.

Norbanus, after this defeat, retreated to Capua; and, being covered by the walls of that place, waited the arrival of Scipio, who intended to join him with the army under his command. Sylla marched to Tianum to prevent their junction; and, on the approach of Scipio, proposed to negotiate. The leaders, with a few attendants, met between the two armies, and were nearly agreed upon terms of

* Plutarch. in Syll. edit. Lond. p. 83.

peace; but Scipio delayed his final consent until he should consult with Norbanus at Capua. Sertorius was accordingly dispatched to inform Norbanus of what had passed, and hostilities were to be suspended until his return; but this messenger, probably averse to the treaty, broke the truce, by seizing a post at Suessa which had been occupied by Sylla; and the negotiation had no other effect than that of giving the troops of both armies, as well as their leaders, an opportunity of conferring together; a circumstance which, in civil wars, is always dangerous to one or other of the parties. In this case the popularity of Sylla prevailed; and the soldiers of his army, boasting of the wealth which they had acquired under their general, infected their enemies, and seduced them to desert their leader. Scipio was left almost alone in his camp; but Sylla, receiving the troops who deserted to him, made no attempt to seize their commander, suffered him to escape, and, with the accession of strength he had acquired by the junction of this army, continued his march towards Rome. Norbanus at the same time evacuated Capua, and, by forced marches in a different route, arrived at the city before him.

About this time, Sertorius, who, before the war broke out, had, in the distribution of provinces, been appointed Proprætor of Spain, despairing of affairs in Italy, in which probably he was not sufficiently consulted, repaired to his province, and determined to try what the skill of a Roman leader could effect at the head of the warlike natives of that country.

The chiefs of the Marian party, who remained in Italy, made efforts to collect all the forces they could at Rome. Carbo, upon hearing that the army of Scipio had been seduced to desert their leader, said, "We have to do with a lion and a fox, of "which the fox is probably the more dangerous "enemy of the two."

Norbanus, soon after his arrival at Rome, procured an edict of the People, by which Metellus, and the others who had joined their forces with Sylla, were declared enemies to their country. About the same time a fire broke out in the Capitol, and the buildings were burnt to the ground. Various suspicions were entertained of the cause; but as no party had any interest in this event, it was probably accidental, and served only to agitate the minds of the people, prone to superstition, and apt to find in every calamity alarming presages, as well as present distress.

The remainder of the season was spent by both parties in collecting their forces from every quarter of Italy; and the term of the Consuls in office being nearly expired, Carbo procured his own nomination to succeed them, and inscribed the name of the young Marius, scarcely twenty years of age, as his colleague. This person is by some said to have been the nephew, by others the adopted son, of the late celebrated C. Marius, whose name had so long been terrible to the enemies, and at length not less so to the friends, of Rome.

U. C. 671. C. Marius, Cn. Pap. Carbo.

At this time the Senate consented to have the plate and ornaments of the temples coined for the

pay of the supposed consular armies. The majority of its members, however, notwithstanding this act of obsequiousness, were believed to favour the opposite party, and not fit to be trusted in case the city were attacked. In consequence of this suspicion, the whole being assembled together by orders of the Prætors, Damasippus and Brutus, numbers were taken aside and put to death; of those destined to die, Quintus Mucius Scævola, Pontifex Maximus, flying to the temple in which he was accustomed to discharge his sacred office, was killed in the porch.

The military operations of the following spring began with an obstinate fight between two considerable armies, one commanded by Metellus, the other by Carinas. The latter being defeated with great loss, Carbo hastened to the scene of action, in order to cover the remains of the vanquished party.

In the mean time Sylla, being encamped at Setia, and having intelligence that the young Marius was advancing against him, put his army in motion to meet him, forced him back to Sacriportum, near to Præneste, where an action soon after ensued, in which Marius was defeated.

The routed army having fled in disorder to Præneste, the first who arrived were received into the place; but as it was apprehended that the enemy also might enter in the tumult, the gates were shut, and many, being excluded, were slaughtered under the ramparts. Marius himself escaped, by means of a rope which was let down from the battlements, and by which he was enabled to scale the walls.

In consequence of this victory, Sylla invested Præ-

neste; and as great numbers were thus suddenly cooped up in a town, which was not prepared to subsist them, he had an immediate prospect of seeing them reduced to the necessity of surrendering at discretion. Committing the charge of a blockade for this purpose to Lucretius Offella, he himself, with part of the army, proceeded to Rome. Metellus, in a second action, had defeated the army of Carbo, and Pompey, another of the same party near Sena; and thus the forces of Sylla being victorious in every part of Italy, the city was prepared to receive their leader as soon as he should appear at the gates. Upon his approach the partisans of the opposite faction withdrew, and left him master of the capital.

Sylla having posted his army in the field of Mars, he himself entered the city, and calling an assembly of the People, delivered an harangue, in which he imputed the disorder of the times to the injustice and cruelty of a few factious men, who had overturned the government, and sacrificed the best blood of the republic to their ambition and to their personal resentments. He exhorted the well-disposed to be of good courage, and assured them that they should soon have their freedom restored. In the mean time, he gratified his own army with the spoils of the opposite party, declaring the effects of all those to be forfeited who had been accessary to the crimes lately committed against the State. After this first specimen of his policy in the city, leaving a sufficient force to execute his orders, he hastened to Clusium, where Carbo, being joined by a considerable reinforcement from Spain, was preparing to recover the

metropolis, or to relieve his colleague Marius, who was reduced to great distress in Præneste.

The events which followed the arrival and operations of Sylla in Tuscany were various, but for the most part unfavourable to Carbo, whose force, by desertion and the sword, was declining apace. The issue of the war seemed to depend on the fate of Præneste, and the whole force of the party was therefore directed to the relief of that place. The Lucanians and Samnites, who had espoused the cause of the late Caius Marius, and who, by his favour, had obtained the promiscuous enrolment to which they aspired, apprehending immediate ruin to themselves, in the suppression of a party by whom alone they had been favoured, determined to make one great effort for the relief of Præneste.

They were joined in Latium by a large detachment sent by Carbo, under Carinas and Marcius, and made an attempt to force the lines of the besiegers at Præneste, and to open the blockade of that place. But having failed in this design, they turned, with desperation, on the city of Rome itself, which was but slightly guarded by a small detachment which had been left for that purpose. Sylla being informed of their intention, with hasty marches returned to the city, and found the enemy already in possession of the suburbs, and preparing to force the gates.

It was about four in the afternoon when he arrived, after a long march. Some of his officers proposed, that the troops, being fatigued, should have a little time to repose themselves; and that, for this purpose, they should remain under cover of the walls

until the following day. Sylla, however, proposing, rather by his unexpected presence, and by coming to action at an unusual hour, to surprise the enemy, gave orders for an immediate attack. The event for some time was doubtful; the wing that was led by himself was repulsed, or did not make the impression expected; but the other wing under Crassus had a better fortune, put the enemy to flight, and drove them to Antemnæ.

The action, though thus various in the different parts of it, became, in the event, completely decisive. Eighty thousand of the Marian party were killed in their flight, and eight thousand taken. Carbo, in despair of the cause, fled into Sicily. The troops who were blocked up in Præneste, having no longer any hopes of relief, surrendered themselves, and the whole party was dispersed or cut off. The young Marius attempted to escape by the galleries of a mine, of which there were many under the place *; and being prevented, killed himself. His head was carried to Sylla, and by his order exposed in the market-place. "That boy," he said, "should have "learnt to row before he attempted to steer!"

The leader of the victorious party having now removed all impediments from his way, proceeded to retaliate on the authors of the late disorders with a force equal to the violence with which it had been provoked. About six or eight thousand of those who were supposed to have been the busiest instruments of the late usurpations and murders, being ta-

* Vid. Strabo, lib. 5, p. 239.

ken prisoners in the war, or surprised in the city, were, by his direction, shut up in the circus, and instantly put to death.

While this horrid scene was acting, he had assembled the Senate, at a little distance, in the temple of Bellona; and as many of the members then present had either favoured, or at least tamely submitted to the late usurpation, he made them a speech on the state of the republic, in which he reproached them as accessary to the late disorders, and admonished them, for the future, to respect the legal government and constitution of their country. In the midst of these admonitions, the cries of those who were slaughtered in the circus reaching their ears, the assembly was greatly alarmed, and many of the members started from their seats. Sylla, with a countenance stern, but undisturbed, checked them as for an instance of levity. "Be composed," he said, "and attend to "the business for which you are called. What you "hear are no more than the cries of a few wretches, "who are suffering the punishment due to their "crimes." From this interruption he resumed his subject, and continued speaking till the massacre of these unhappy victims was completed.

In a harangue which he afterwards delivered to the People, he spoke of his own services to the republic, and of the misdemeanour of others, in terms that struck all who heard him with terror. "The "republic," he said, (if his opinion were followed), "should be purged; but whether it were so or no, "the injuries done to himself and his friends should "be punished." He accordingly ordered military

execution against every person who had been accessary to the late massacres and usurpations; and while the sword was yet reeking in his hands, passed great part of his time, as usual, in mirth and dissipation with men of humorous and singular characters. He deigned not even to inquire into the abuses that were committed in the execution of his general plan. Many of the disorders which took place in the former massacre were accordingly renewed. The persons who were employed in it, frequently indulged their own private resentment and their avarice in the choice of victims. Among these, Cataline, then a young man, had joined the victorious party; and plunged, with a singular impetuosity, into the midst of a storm which now overwhelmed a part of the city. He is said, among other persons to whom he bore an aversion, or whose effects he intended to seize, to have murdered his own brother, with strange circumstances of cruelty and horror.

While these dreadful murders, though mixed with examples of a just execution, were perpetrated, a young man, C. Metellus, had the courage to address himself to Sylla in the Senate, and desired he would make known the extent of his design, and how far these executions were to be carried? "We intercede "not," he said, "for the condemned; we only en- "treat that you would relieve out of this dreadful "state of uncertainty all those whom in reality you "mean to spare."

Sylla, without being offended at this freedom, published a list of those he had doomed to destruction, offering a reward of two talents for the head of each,

and denouncing severe penalties against every person who should harbour or conceal them. Hence arose the practice of publishing lists of the persons to be massacred, which, under the odious name of *Proscription*, was afterwards imitated with such fatal effects in the subsequent convulsions of the State.

The present proscription, although it promised some security to all who were not comprehended in the fatal list, opened a scene, in some respects more dreadful than that which had been formerly acted in this massacre. By the promised reward, the hands of servants were hired against their masters, and even those of children against their parents. The mercenary of every denomination were encouraged, by a great premium, to commit what before only the executioners of public justice thought themselves entitled to perform; and there followed a scene, in which human nature had full scope to exert all the evil of which it is susceptible, treachery, ingratitude, distrust, malice, and revenge; and would have retained no claim to our esteem or commiseration, if its character had not been redeemed by contrary instances of fidelity, generosity, and courage, displayed by those who, to preserve their friends and benefactors, or even to preserve mere objects of pity, who took refuge under their protection, risked all the dangers with which the proscribed themselves were threatened.

In consequence of these measures, about five thousand persons of consideration were put to death, among whom were reckoned forty Senators, and sixteen hundred of the Equestrian order.

From these beginnings the Romans had reason to apprehend a tyranny more sanguinary perhaps than any that ever afflicted mankind. "If in the field "you slay all who are found in arms against you," said Catulus*, "and in the city you slay even the "unarmed; over whom do you propose to reign?"

These reproaches were by Sylla received as jests; and the freedom and ease of his manners, as well as the professions he made of regard to the commonwealth, were imputed to insensibility, or to a barbarous dissimulation, which rendered his character more odious, and the prospect of his future intentions more terrifying.

In comparing the present with the late usurpation and massacre, men recollected, that Marius from his infancy had been of a severe and an inexorable temper; that his resentments were sanguinary, and even his frowns were deadly; but that his cruelties were the effect of real passions, and had the apology of not being perpetrated in cold blood; that every person on whom he looked with indifference was safe; and that even when he usurped the government of the State, as soon as his personal resentments were gratified, the sword in his hand became an innocent pageant, and the mere ensign or badge of his power. But that Sylla directed a massacre in the midst of composure and ease; that as a private man he had been affable and pleasant, even noted for humanity and candour †; that the change of his

* Probably the son of him who perished in the tyranny of Marius.

† Plutarch. *in* Sylla.

temper having commenced with his exaltation, there were no hopes that the issues of blood could be stopped while he was suffered to retain his power. His daring spirit, his address, his cunning, and his ascendant over the minds of men, rendered the prospect of a deliverance, if not desperate, extremely remote. The republic seemed to be extinguished for ever; and if the rage for blood seemed to abate, after the first heats of execution were over, it appeared to be stayed only for want of victims, not from any principle of moderation, or sentiment of clemency.

Such was the aspect of affairs, and the grounds of terror conceived even by those who were innocent of the late disorders; but to those who had reason to fear the resentment of the victor, the prospect was altogether desperate. Norbanus, having fled to Rhodes, received at that place an account of the proscriptions, and, to avoid being delivered up, killed himself. Carbo, being in Sicily, endeavoured to make his escape from thence, but was apprehended by Pompey, and killed. Thus all the ordinary offices of state were vacated by the desertion or death of those who had filled or usurped them.

Sylla had hitherto acted as master, without any other title than that of the sword; and it was now thought necessary to supply the defect. He retired from the city, that the Senate might assemble with the more appearance of freedom. To name an Interrex was the usual expedient for restoring the constitution; and for proceeding to elections in a legal form after the usual time had elapsed, or when by

any accident the ordinary succession to office had been interrupted. Valerius Flaccus was named. To him Sylla gave intimation, that, to resettle the commonwealth, a Dictator, for an indefinite term, should be appointed, and made offer of his own services for this purpose. These intimations were received as commands. And Flaccus, having assembled the People, moved for an act to vest Sylla with the title of Dictator, giving him a discretionary power over the persons, fortunes, and lives of all the citizens.

No example of this kind had taken place for one hundred and twenty years preceding this date. In the former part of that period, the jealousy of the aristocracy, and in the latter part of it, the negative of the Tribunes, had always prevented a measure from which the parties severally apprehended some danger to themselves. It was now revived in the person of Sylla, with unusual solemnity, and ratified by an act of the People, in which they yielded up at once all their own claims to the sovereignty, and submitted to monarchy for an indefinite time. Sylla having named Valerius Flaccus for his lieutenant or commander of the horse, returned to the city, presenting a sight that was then unusual, a single person, preceded by four-and-twenty Lictors, armed with the axe and the rods; and the Dictator being likewise attended by a numerous military guard, it was not doubted that these ensigns of magistracy were to be employed, not for parade, but for serious execution, and were speedily to be stained with the blood of many citizens, whom the sword had spa-

red. Unwilling to be troubled with ordinary affairs, and that the city, in all matters in which it was not necessary for himself to interpose, might still enjoy the benefit of its usual forms, he directed the People to assemble, and to fill up the customary lists of office.

Lucretius Offella, the officer who had commanded in the reduction of Præneste, presuming on his favour with the Dictator, and on his consequence with the army, offered himself for the Consulate. Being commanded by Sylla to desist, he still continued his canvass, and while he solicited votes in the street, was, by order of the Dictator, put to death. A tumult immediately arose; the Centurion, who executed this order against Offella, was seized, and, attended by a great concourse of people, was carried before the Dictator. Sylla heard the complaint with composure, told the multitude who crowded around him, that Offella had been slain by his orders, and that the Centurion must therefore be released. He then dismissed them, with this homely but menacing apologue: "A countryman at his "plough, feeling himself troubled with vermin, "once and again made a halt to pick them off his "jacket; but being molested a third time, he threw "the jacket, with all its contents, into the fire. Be-"ware," he said, "of the fire; provoke me not a "third time *." Such was the tone of a government, which, from this example, was likely to be fa-

* Appian. in Bell. Civil. lib. i. Plutarch. in Sylla.

tal to many who had concurred in establishing of it, as well as to those of the opposite party.

U. C. 672. M. Tullius Decula, Cn. Corn. Dolabella.

Sylla, soon after his elevation to the state of Dictator, proceeded to make his arrangements and to new-model the commonwealth. The army * appeared to have the first or preferable claim to his attention. He accordingly proposed to reward them by a gift of all the lands which had been forfeited by the adherents of the opposite party. Spoletum, Interamna, Præneste, Fluentia, Nola, Sulmo, Volaterra, together with the countries of Samnium and Lucania, were depopulated to make way for the legions who had served under himself in the reduction of his enemies. In these new inhabitants of Italy, whose prosperity depended on his safety, he had a guard to his person, and a sure support to his power. By changing their condition from that of soldiers to landholders and peasants, he dispelled, at the same time, that dangerous cloud of military power, which he himself or his antagonists had raised over the commonwealth, and provided for the permanency of any reformations he was to introduce into the civil establishment. The troops, from soldiers of fortune, became proprietors of land, and interested in the preservation of peace. In this manner, whatever may have been his intention in this arbitrary act of power, so cruel to the innocent sufferers, if there were any such, the measure had an immediate tendency to terminate the public confusion. Its future conse-

* It appears that Livy reckoned forty-seven legions. Epitom. lib. lxxxix.

quences, in pointing out to new armies, and to their ambitious leaders, a way to supplant their fellow-citizens in their property, and to practise usurpations more permanent than that of Sylla, were probably not then foreseen.

The next act of the Dictator appears more entirely calculated for the security of his own person. A body of ten thousand slaves, lately the property of persons involved in the ruin of the vanquished party, having their freedom and the right of citizens conferred on them, were enrolled promiscuously in all the Tribes; and as the enfranchised slave took the name of the person from whom he received his freedom, these new citizens became an accession to the family of the Cornelii, and in every tumult were likely to be the sure partisans of Sylla, and the abettors of his power. They had received a freedom which was connected with the permanency of his government, and foresaw, that, if the leaders of the opposite party, in whose houses they had served, should be restored, they themselves must return into servitude; and they accordingly became an additional security to the government which their patron was about to establish.

So far the Dictator seemed to intend the security of his own person, and the stability of his government; but in all his subsequent institutions, there appears an intention to restore the constitution in its legislative and judicative departments, to provide a proper supply of officers for conducting the accumulated affairs of the commonwealth, to stop the source of former disorders, and to guard against the

growing depravity of the times, by extending and securing the execution of the laws. He began with filling up the rolls of the Senate, which had been greatly reduced by the war, and by the sanguinary policy of the parties who had prevailed in their turns. He augmented the number of this body to five hundred; taking the new members from the Equestrian order, but leaving the choice of them to the People.

Lex de Judiciis.

The legislative power of the Senate, and the judicative power of its members, were restored. The law that was provided for the last of these purposes consisted of different clauses. By the first clause it was enacted, that none but Senators, or those who were entitled to give their opinion in the Senate *, should be put upon any jury or list of the judges †. By the second it was provided, that, of the judges so placed on the roll, the parties should not be allowed to challenge or reject above three.

By a third clause it was allowed, that judgment, in trials at law, should be given either by secret ballot, or openly, at the option of the defendant; and, by a separate regulation, that the nomination of officers to command in the provinces, with the title of Proconsul, should be committed to the Senate.

During the late tribunitian usurpation, the whole legislative and executive power had, under pretence

* All the officers of State, even before they were put upon the rolls, were entitled to speak in the Senate.

† Tacit. Annal. lib. xi. Cic. pro Cluento.

of vesting those prerogatives in the assembly of the Tribes, been seized by the Tribunes. But Sylla restored the ancient form of assembling the People by Centuries, and reduced the Tribunes to their defensive privilege of interposing by a negative against any act of oppression; and he deprived them of their pretended right to propose laws, or to harangue the People. He moreover subjoined, that none but Senators could be elected into the office of Tribune; and, to the end that no person of a factious ambition might choose this station, he procured it to be enacted, that no one who had borne the office of Tribune could afterwards be promoted into any other rank of the magistracy.

With respect to the offices of State, this new founder of the commonwealth revived the obsolete law which prohibited the re-election of any person into the Consulate, till after an interval of ten years; and enacted, that none could be elected Consul till after he had been Quæstor, Ædile, and Prætor. He augmented the number of Prætors from six to eight; that of Quæstors to twenty; and, to guard against the disorders which had recently afflicted the republic, declared it to be treason for any Roman officer, without the authority of the Senate and People, to go beyond the limits of his own province, whether with or without an army, to make war, or to invade any foreign nation whatever.

He repealed the law of Domitius relating to the election of priests, and restored to the college the entire choice of their own members.

He made several additions to the penal code, by statutes against subornation, forgery, wilful fire, poisoning, rape, assault, extortion, and forcibly entering the house of a citizen; with a statute, declaring it criminal to be found in places of public resort with a deadly weapon of any kind. To all these he added a sumptuary law, of which the tenor is not precisely known; but it appears to have regulated the expence at ordinary * meals and at funerals, and to have likewise settled the price of provisions.

These laws were promulgated at certain intervals, and intermixed with the measures which were taken to restore the peace of the empire. In order to finish the remains of the civil war, Pompey had been sent into Sicily and Africa, and C. Annius Luscus into Spain. In this province, Sertorius had taken arms for the Marian faction; but being attacked by the forces of Sylla, and ill supported at first by the natives of Spain, he fled into Africa. From thence, hearing that the Lusitanians were disposed to take arms against the reigning party at Rome, he repassed the sea, put himself at their head, and in this situation was able, for some years, to find occupation for the arms of the republic, and for its most experienced commanders.

Soon after the departure of Sylla from Asia, Murena, whom he had left to command in that province, found a pretence to renew the war with Mithridates; and, having ventured to pass the Halys,

* Gellius, lib. ii, c. 24.

was defeated by that prince, and afterwards arraigned as having infringed the late treaty of peace. This accusation was favourably received at Rome, the conduct of Murena censured, and first A. Gabinius, and afterwards Minucius Thermus, were sent to supersede him in the province.

Meantime Sylla, with all his disdain of personal distinction, exhibited a triumph on account of his victories in Asia and Greece. Processions were continued for two days. On the first, he deposited in the treasury fifteen thousand pondo of gold *, and an hundred and fifteen thousand pondo of silver †; on the second day, thirteen thousand pondo of gold ‡, and seven thousand pondo of silver ‖. There was nothing that had any reference to his victory in the civil war, except a numerous train of Senators, and other citizens of rank, who, having resorted to his camp for protection, had been restored by him to their estates and their dignities, and now followed his chariot, calling him Father, and the deliverer of his country.

U. C. 673. L. Corn. Sylla, Q. Cæcil. Metell. Pius.

Upon the return of the election, Sylla was again chosen Consul, together with Q. Cæcilius Metellus. The latter was destined, at the expiration of his office, to command against Sertorius in Spain. Sylla himself still retained the dictatorial power, and was employed in promulgating some of the acts of which the chief have been mentioned.

---

* Reckoning the pondo at ten ounces, and L. 4 an ounce, this will make about L. 600,000.

† About L. 287,500. ‡ About L. 520,000.

‖ About L. 140,000 Plin. lib. xxxiii. initio.

Pompey having, in the preceding year, by the death of Carbo, and the dispersion of his party, finished the remains of the civil war in Sicily, was now ordered by the Senate to transport his army into Africa. There Domitius, a leader of the opposite faction, had erected his standard, assembled some remains of the vanquished party, and received all the fugitives who crowded for refuge to his camp. Pompey accordingly being to depart from Sicily, left the command of that island to Memmius, and embarked his army, consisting of six legions, in two divisions; of which one landed at Utica, the other in the bay of Carthage. Having soon after come to an engagement with Domitius, who had been joined by Jarbas, an African prince, he obtained a complete victory over their united forces, and pursuing his advantage, penetrated, without any resistance, into the kingdom of Numidia, which, though dependent on the Romans, had not yet been reduced to the form of a province.

The war being ended in this quarter, Sylla thought proper to supersede Pompey in the province, and ordered him to disband his army, reserving only one legion, with which he was to wait for his successor. The troops were greatly incensed at this order; and thinking themselves equally entitled to settlements with the legions who were lately provided for in Italy, refused to lay down their arms. They earnestly entreated their general to embark for Rome, where they promised to make him master of the government. This young man, with a moderation which he continued to support in the height of his

ambition, withstood the temptation, and declared to the army, that, if they persisted in their purpose, he must certainly die by his own hands; that he would not do violence to the government of his country, nor be the object or pretence of a civil war. From this conduct we have reason to conclude, that if in reality he had encouraged the mutiny, it was only that he might thus have the honour of reclaiming the soldiers, and of rejecting their offer. The ambition of this singular person, as will appear from many passages of his life, led him to aim at consideration more than power.

While Pompey was endeavouring to bring the troops to their duty, a report was carried to Rome, that he had actually revolted, and was preparing with his army to make a descent upon Italy. "It "appears to be my fate," said Sylla, "in my old age "to fight with boys;" and he was about to recall the veterans to his standard, when the truth was made known, and the part which Pompey had acted was properly represented. The merit of this young man on that occasion was the greater, that he himself was unwilling to disband the army before they should return to Italy to attend a triumph, which he hoped to obtain; and that the resolution he took to comply with his orders, proceeded from respect to the Senate, and deference to the authority of the State.

Sylla, won by the behaviour of Pompey on this occasion, was inclined to dispense with his former commands, and accordingly moved in the assembly

of the People, that the legions serving in Africa might return with their arms into Italy.

This motion was opposed by C. Herennius, Tribune of the People, who ventured to employ the prerogative of his office, however impaired, against the power of the Dictator. But Sylla persisted; obtained a law to authorise Pompey to enter with his army into Italy; and when he drew near the city, went forth with a numerous body of the Senate to receive him. On this occasion, it is said, that, by calling him the Great Pompey, Sylla fixed a designation upon him, which, in the Roman way of distinguishing persons by casual additions, whether of contempt or respect, continued to furnish him with a title for life. The times were wretched when armies stated themselves in the commonwealth as the partisans of a leader, and when the leader, by not making war on his country, was supposed to have laid up a store of merit.

Pompey, upon this occasion, laid claim to a triumph. Sylla at first opposed it, as being contrary to the rule and order of the commonwealth, which reserved this honour for persons who had attained to the rank either of Consul or Prætor; but he afterwards complied, being struck, it is said, with a mutinous saying of this aspiring young man, bidding him recollect, that there were more persons disposed to worship the rising than the setting sun.

In the triumph which Pompey accordingly obtained, he meant to have entered the city on a carriage drawn by elephants; but these animals could not pass abreast through the gates. His donation

to the troops falling short of their expectation, and they having murmured, and even threatened to mutiny, he said, the fear of losing his triumph should not affect him; that he would instantly disband the legions, rather than comply with their unreasonable demands. This check, given to the presumption of the army by an officer so young and so aspiring, gave a general satisfaction. P. Servilius, a Senator of advanced age, said, upon this occasion, "That "the young man had at last deserved his triumph "and his title."

Pompey, by his vanity in demanding a triumph contrary to the established order of the commonwealth, had impaired the lustre of his former actions. By this last act of magnanimity, in restraining the insolence of the troops, he forfeited the affections of the army; and in both these circumstances together, gave a complete specimen and image of his whole life. With too much respect for the republic to employ violent means for its ruin, he was possessed by a vanity and a jealousy of his own personal consideration, which, in detail, perpetually led him to undermine its foundations.

U. C. 674. P. Servilius, Ap. Claudius.

Upon the return of the elections, Sylla was again destined for one of the Consuls; but he declined this peace of flattery, and directed the choice to fall on P. Servilius and Appius Claudius. Soon after these magistrates entered on the discharge of their trust, the Dictator appeared, as usual, in the Forum, attended by twenty-four Lictors; but, instead of proceeding to any exercise of his power, made a formal resignation of

it, dismissed his Lictors, and, having declared to the People, that, if any one had matter of charge against him, he was ready to answer it, continued to walk in the streets in the character of a private man, and afterwards retired to his villa near Cumæ, where he exercised himself in hunting *, and other country amusements.

This resignation, it must be confessed, throws a new light on the character of Sylla, and removes him far from the herd of common usurpers, who sacrifice their fellow-creatures merely to their own lust of dominion. The sacrifices he made, shocking as they were to the feelings of humanity, now appear to have been offered at the shrine of public order, to provide, for the future, peace to his country. His ruling passion appears to have been disdain of what the vulgar admire, whether distinction or power. When tired of youthful pursuits, he sued for preferment, but with so little animosity or jealousy of competition, that if he had not been hurried by extreme provocation into the violent course he pursued, it is probable that he never would have been heard of but upon the roll of Consuls, or the record of his triumphs, and would have disdained any encroachment on the rght of his fellow-citizens as much as he resented the encroachments which were made on his own.

In his first attack of the city with a military force, his whole action showed, that he meant to rescue the republic from the usurpation of Marius, not to

* Appian. Bell. Civil. lib. i.

usurp the government for himself. At his return into Italy from the Mithridatic war, the state of parties already engaged in hostilities, and the violence done to the republic by those who pretended to govern it, will abundantly justify his having had recourse to arms.

During the short period in which he retained his power of Dictator, without neglecting precautions for the security of his own person in the retirement he was meditating, he took the measures already mentioned, to tear up the roots of future disorder, and effect some reform in the State: but as the past had shown, what are the evils to which an overgrown and corrupted republic is exposed; so the corrections he attempted, although they served to prolong the struggles of virtuous men for the preservation of their country, yet were not sufficient to prevent its ruin.

For some particulars of this description, which have not entered into the preceding narration, it may be observed, that he was among the few Romans of his time who made any considerable advance in literary studies; and that he wrote memoirs of his own life, continued to within a few days of his death, often quoted by Plutarch; that he nevertheless appeared superior to the reputation of his own most splendid performances, and from simplicity or disdain, mixed perhaps with superstition, not from affected modesty, attributed his success to good fortune or to the favour of the gods; so much, that

while he bestowed on Pompey the title of *Great*, he himself was content with that of the *Fortunate* *.

With respect to such a personage, circumstances of a trivial nature become subjects of attention. His hair and eyes, it is said, were of a light colour, his complexion fair, and his countenance blotched. He was, by the most probable accounts, four years old at the time of the sedition of Tiberius Gracchus, and seventeen at the death of Caius, the younger brother of Tiberius; so that he might have perceived at this date the effect of tribunitian disorders, and taken the impressions from which he acted against them. He served the office of Quæstor under Marius in Africa at thirty-one; was Consul for the first time at forty-nine or fifty †; was Dictator at fifty-six; resigned when turned of fifty-eight; and died yet under sixty, in the year which followed that of his resignation.

There remained in the city, at his death, a numerous body of new citizens, who having been manumised by his order, bore his name: in the country a still more numerous body of veteran officers and soldiers, who held estates by his gift: numbers throughout the empire, who owed their safety to his protection, and who ascribed the existence of the commonwealth itself to the exertions of his great ability and courage; numbers who, although they were offended with the severe and bloody exercise of his power, yet admired the magnanimity of his resignation.

---

* Felix. † Vel. Pater. lib. ii, c. 17.

When he was no longer an object of flattery, his corpse was carried in procession through Italy at the public expence. The fasces, and every other ensign of honour, were restored to the dead. Above two thousand golden crowns were fabricated in haste, by order of the towns and provinces he had protected, or of the private persons he had preserved, to testify their veneration for his memory. Roman matrons, whom it might be expected his cruelties would have affected with horror, lost every other sentiment in that of admiration, crowded to his funeral, and heaped the pile with perfumes *. His obsequies were performed in the Campus Martius. The tomb was marked by his own directions with a characteristical inscription, to the following effect: "Here lies Sylla, who never was outdone in "good offices by his friend, nor in acts of hostility "by his enemy †."

* Appian. de Bell. Civ. lib i. Plutarch. in Sylla.
† Plutarch. in Sylla, fine.

CHAP. XV.

State of the commonwealth and numbers of the people.—Characters of persons who began to appear in the times of Sylla.—Faction of Lepidus.—Sertorius harbours the Marian party in Spain.—Is attacked by Metellus and Pompey.—His death, and final suppression of the party.—First appearance of C. Julius Cæsar.—Tribunes begin to trespass on the laws of Sylla.—Progress of the empire.—Preparations of Mithridates.—War with the Romans.—Irruption into Bithynia.—Siege of Cyzicus.—Raised.—Flight of Mithridates.—Lucullus carries the war into Pontus.—Rout and dispersion of the army of Mithridates.—His flight into Armenia.—Conduct of Lucullus in the province of Asia.

THE public was so much occupied with the contest of Sylla and his antagonists, that little else is recorded of the period in which it took place. Writers have not given us any distinct account of the condition of the city, or of the number of citizens. As the State was divided into two principal factions, the office of Censor was become too important for either party to intrust it with their opponents, or even in neutral hands. The leaders of every faction, in their turn, made up the rolls of the People, and disposed, at their pleasure, of the equestrian and senatorian dignities.

At a survey of the city, which is mentioned by

Livy *, preceding the admission of the Italians, the number of citizens was three hundred and ninety-four thousand three hundred and thirty-six. At another survey, which followed soon after that even., they amounted, according to Eusebius, to four hundred and sixty-three thousand †; and it seems that the whole accession of citizens from the country made no more than sixty-eight thousand six hundred and sixty-four. The great slaughter of Romans and Italians, in which it is said that three hundred thousand men were killed, preceding the last of these musters, and the difficulty of making complete and accurate lists when the citizens were so much dispersed, will account for the seemingly small increase of their numbers.

In this period were born, and began to enter on the scene of public affairs, those persons whose conduct was now to determine the fate of the Republic. Pompey had already distinguished himself, and stood high in the public esteem. He had been educated in the camp of his father, and, by accident, at a very early age, or before he had attained to any of the ordinary civil or political preferments, commanded an army. Cicero, being of the same age, began to be distinguished at the bar. He pleaded, in the second consulate of Sylla, the cause of Roscius Amerinus, and having occasion to censure the actions of Chrysogonus and other favourites of the Dictator, by his freedom in that instance, incurred no resentment from Sylla, and gained much honour to himself.

* Liv. lib. lxiii. † Euseb. in Chronico.

Caius Cæsar, now connected with the family of Cinna, whose daughter he had married, and being nearly related to the elder Marius, who had married his aunt, narrowly escaped the sword of the prevailing party. Being commanded to separate from his wife, he retained her in defiance of this order, and for his contumacy was put in the list of the proscribed. He was saved, however, by the intercession of common friends, whose request in his favour Sylla granted, with that memorable saying, "Beware of "him: there is many a Marius in the person of that "young man:"—a circumstance which marked at once the penetration of Sylla, and the early appearances of an extraordinary character in Cæsar.

Marcus Porcius, afterwards named Cato of Utica, was about three years younger than Cæsar, and being early an orphan, was educated in the house of an uncle, Livius Drusus. While yet a child, listening to the conversation of the times, he learned that the pretensions of the Italian allies, then in agitation, were dangerous to the Roman state. Pompedius Silo, who managed the claim for the Italians, amusing himself with the young Cato, pressed him with caresses to intercede with his uncle in their behalf; and, finding that he was not to be won by flattery, next tried in vain to intimidate, by threatening to throw him from the window. "If this were a man," he said, "I believe we should obtain no such favour." In the height of Sylla's military executions, when his portico was crowded with persons who brought the heads of the proscribed to be exchanged for the reward which had been published, Cato being car-

ried by his tutor to pay his court, asked, "if no one "hated this man enough to kill him?" Yes, "but "they fear him still more than they hate him." "Then give me a sword," said the boy, "and I will "kill him." Such were the early indications of characters which afterwards became so conspicuous in the commonwealth.

With the unprecedented degradation of the Tribune Octavius, and the subsequent murder of Tiberius Gracchus, began, among the parties at Rome, a scene of injuries and retaliations, with alternate periods of anarchy and violent usurpation, which must have speedily ended in the ruin of the commonwealth, if the sword had not passed at last into hands which employed it for the restoration of public order, as well as for the avenging of private wrongs.

It is indeed probable that none of the parties in these horrid scenes had a deliberate intention to subvert the government, but all of them treated the forms of the commonwealth with too little respect; and, to obtain some revenge of the wrongs which they themselves apprehended or endured, did not scruple in their turn to violate the laws of their country. But to those who wished to preserve the commonwealth, the experience of fifty years was now sufficient to show, that attempts to restore the laws by illegal methods, and to terminate animosities by retorted injuries and provocations, were extremely vain. The excess of the evil had a tendency to exhaust its source, and parties began to nauseate the draught of which they had been made to drink so largely. There

were, nevertheless, some dregs in the bottom of the cup, and the supplies of faction which were brought by the rising generation, were of a mixture more dangerous than those of the former age. The example of Sylla, who made himself lord of the commonwealth by means of a military force, and the security with which he held his usurpation during pleasure, had a more powerful effect in exciting the thirst of dominion, than the political uses which he made of his power, or his magnanimity in resigning it, had to restrain or to correct the effects of that dangerous precedent. Adventurers accordingly arose, who, without provocation, and equally indifferent to the interests of party as they were to those of the republic, proceeded, with a cool and deliberate purpose, to gratify their own ambition and avarice, by subverting the government of their country.

U. C. 675. M. Æm. Lepidus, Q. Lut. Catulus, Coss.

While Sylla was yet alive, Æmilius Lepidus, a man of a profligate ambition, but of mean capacity, supported by the remains of the popular faction, stood for the Consulate, and was chosen, together with Q. Lutatius Catulus, the son of him who, with Marius, triumphed for their joint victory over the Cimbri, and who afterwards perished by the orders of that usurper.

Pompey had openly joined the popular faction in support of Lepidus, and was told upon that occasion by Sylla, that he was stirring the embers of a fire which would in the end consume the Republic. After the death of Sylla, from a mark of disapprobation well known to the Romans, that of not being mentioned in his will, it appeared that Pompey had lost

his esteem. In opposition to Lepidus, however, and others, who wished to insult the memory of Sylla, this prudent young man was among the first in recommending and performing the honours that were paid to his remains.

Lepidus, upon his accession to the Consulate, moved for a recall of the proscribed exiles, a restitution of the forfeited lands, and a repeal of all the ordinances of the late Dictator. This motion was formally opposed by Catulus; and there ensued between the two Consuls a debate which divided the city. But the party of the Senate prevailed to have the motion rejected.

In the allotment of provinces, the Transalpine Gaul had fallen to Lepidus; and, upon his motion being rejected in the assembly of the People, although it had been some time the practice for Consuls to remain at Rome during their continuance in office, he prepared to leave the city, in order to take possession of his province. This resolution, as it implied great impatience to be at the head of an army, gave some jealousy to the Senate, who dreaded the designs of a Consul desirous to join military power with his civil authority. They recollected the progress of sedition which began with the Gracchi and Apuleius raising popular tumults, and ended with Marius and Sylla leading consular armies into the city, and fighting their battles in the streets. And in this point the decisive spirit of Sylla, although it may have snatched the commonwealth from the flames by which it began to be consumed, yet showed the way to its ruin in the means which he em-

ployed to preserve it *. The Senators were willing that Lepidus should depart from the city; but they had the precaution to exact from him an oath, that he should not disturb the public peace. This oath, to avoid the appearance of any particular distrust of the person for whom it was projected, they likewise administered to his colleague †.

Lepidus, notwithstanding his oath, being arrived in his province, made preparations for war; and, thinking that his faith was pledged only while he was Consul, determined to remain in Gaul at the head of his forces until his term in office expired. The Senate, in order to remove him from the army he had raised, appointed him to preside at the election of his successor. But he neglected the summons which was sent to him for this purpose, and the year of the present Consuls was by this means suffered to elapse, before any election was made.

The ordinary succession being thus interrupted, the Senate named Appius Claudius, as Interrex, to hold the elections, and at the same time deprived Lepidus of his command in Gaul. Upon this information he hastened to Italy with the troops he had already assembled, and greatly alarmed the republic. The Senate gave to Appius Claudius, and to Catulus, in the quality of Proconsul, the usual charge to watch over the safety of the State. These officers accordingly, without delay, collected a military force, while Lepidus advanced through Etruria, and published a manifesto, in which he invited all the

* Appian, de Bell. Civ. lib. i. † Ibid.

friends of liberty to join him, and made a formal demand of being re-invested with the consular power. In opposition to this treasonable act of Lepidus, the Senate republished the law of Plautius, by which the Prætors were required, in the ordinary course of justice, to take cognisance of all attempts to levy war against the republic, and joined to it an additional clause or resolution of their own, obliging those magistrates to receive accusations of treason on holydays, as well as on ordinary days of business.

Meantime Lepidus advanced to the very gates of Rome, seized the Janiculum and one of the bridges. But in his farther attempt to force the city, was met by Catulus, repulsed and routed. All his party dispersed; he himself fled to Sardinia, and soon after died. His son, a young man, with part of the army, retired to Alba, was there soon after taken, and suffered for a treason in which he had been engaged by his father.

Marcus Brutus, the father of him who, in the continuation of these troubles, afterwards fell at Philippi, having joined with Lepidus in this rash and profligate attempt against the republic, was obliged at Mantua to surrender himself to Pompey, and, by his order, was put to death. But the most considerable part of the army of Lepidus penetrated, under the conduct of Perperna, into Spain, and joined Sertorius, who was now become the refuge of one party in its distress, as Sylla had formerly been of the other. In this province accordingly, while peace began to be restored in Italy, a source of new troubles was opening for the State. The prevailing par-

ty in the city was willing to grant an indemnity, and to suffer all prosecution, on account of the late offences, to drop; the extreme to which Sylla had carried the severity of his executions, disposing the minds of men to the opposite course of indulgence and mercy.

Before the arrival of Lepidus with his army in Italy, Mithridates had sent to obtain from the Senate a ratification of the treaty he had concluded with Sylla: but, upon a complaint from Ariobarzanes, that the king of Pontus had not himself performed his part of that treaty by the complete restitution of Cappadocia, he was directed to give full satisfaction on this point before his negotiation at Rome could proceed. He accordingly complied; but by the time his ambassador had brought the report, the Romans were so much occupied by the war they had to maintain against Lepidus and his adherents, that they had no leisure for concerns so remote. This intelligence encouraged Mithridates to think of renewing the war. Sensible that he could not rely on a permanent peace with the Romans, he had already provided an army, not so considerable in respect to numbers as that which he had formerly employed against them, but more formidable by the order and discipline he had endeavoured to introduce on the model of their own legion. He flattered himself, that the distraction under which the republic now laboured at home, would render it unable to resist his forces in Asia, and give him an opportunity to remove the only obstruction that remained to his own conquests. He avoided,

however, during the dependence of a negotiation, and without the pretext of a new provocation, to break out into open hostilities; but he encouraged his son-in-law, Tigranes, king of Armenia, to make war on the Roman allies in his neighbourhood, and thereby laid the foundation of a quarrel which he might either adopt or decline at pleasure. This prince, accordingly, being then building a city, under the name of Trigranocerta, for which he wanted inhabitants, made an incursion into the kingdom of Cappadocia, and is said to have carried off from thence three hundred thousand of the people to replenish his new settlement.

Soon after this infraction of the peace, Mithridates, in order to have the co-operation of some of the parties into which the Roman State was divided, entered into a treaty with Sertorius, and wished, in concert with this adventurer, to execute the project of a march, by the route which was afterwards frequented by the barbarous nations in their successful attempts to invade and dismember the Empire of Rome. From the shores of the Euxine it appeared easy to pass overland to the Adriatic, and once more to repeat the operations of Pyrrhus and of Hannibal, by making war on the Romans in their own country.

Sertorius, who had erected the standard of the republic in Spain, gave refuge to the Roman exiles from every quarter, and was now at the head of a formidable power, composed of Italians as well as natives of that country. By his birth and abilities he had pretensions to the highest preferments of the

State, and had been early distinguished as a soldier, qualified either to plan or to execute. He was attached to Marius in the time of the Cimbric war, and became a party with this leader in his quarrel with Sylla. His animosity to the latter was increased by the mutual opposition of their interests in the pursuit of civil preferments. At the beginning of the civil war, Sertorius took an active part, but shewed more respect to the constitution of his country, and more mercy to those who were opposed to him, than either of his associates Marius or Cinna. When his faction was in possession of the government, he was appointed to command in Spain, and, after the ruin of its affairs in Italy, withdrew into that province. He was received as a Roman governor; but, soon after, when his enemies had prevailed in Italy, was attacked on their part by Caius Annius, who came with a proper force to dislodge him. He had established posts on the Pyrenees for the security of his province; but the officer to whom they were intrusted being assassinated, and the stations deserted, the enemy had free access on that side. Not in condition to maintain himself any longer in Spain, he embarked with what forces he could assemble at Carthagena, and continued for some years, with a small squadron of Cilician galleys, to subsist by the spoils of Africa and the contiguous coasts. In this state of his fortunes, Sertorius formed a project to visit the Fortunate Islands, and if a settlement could be effected there, to bid farewell for ever to the Roman world, with all its factions, its divisions, and its troubles. But while

he was about to set sail in search of this famous retreat in the ocean, he received an invitation from the unsubdued natives of Lusitania to become their leader. At their head his abilities soon made him conspicuous. He affected to consider his new partisans as the Senate and People of Rome, treating the establishment of Sylla in Italy as a mere usurpation. He himself took the ensigns of a Roman officer of State, selected three hundred of his followers, to whom he gave the title of Senate, and, in all his transactions with foreign nations, assumed the name and style of the Roman Republic. In treating with Mithridates, he refused to cede the province of Asia, or to purchase the alliance of that prince by any concessions injurious to the Roman Empire, of which he affected to consider himself and his Senate as the legal head.

While Sertorius was acting this farce, the report of his formidable power, the late accession he had gained by the junction of some of the Marian forces under the command of Perperna, and his supposed preparations to make a descent upon Italy, gave an alarm at Rome. Metellus had been some time employed against him in Spain; but being scarcely able to keep the field, the opposition he gave tended only to augment the reputation of his enemy. The Consuls lately elected were judged unequal to this war, and the thoughts of all men were turned on Pompey, who, though yet in no public character, nor arrived at the legal age of state preferments, had the address on this, as on many other occasions, to make himself

U. C. 676. D. Junius Brutus, Mam. Emilianus Livianus.

be pointed at as the only person who could effectually serve the republic. He was accordingly, with the title of Proconsul, joined to Metellus in the conduct of the war in Spain *. It no doubt facilitated the career of this young man's pretensions, that few men of distinguished abilities were now in the way to sustain the fortunes of the republic. Such persons, of whatever party, had, in their turns, been the first victims of the late violent massacres; and the party of Sylla, which was now the republic, when considered as a nursery of eminent men, had some disadvantage, perhaps in the superiority of its leader, who was himself equal to all its affairs, and taught others to confide and obey, rather than to act for themselves. Pompey was not of an age to have suffered from this influence. He came into the party in its busiest time, and had been intrusted with separate commands. He had already obtained for himself a considerable measure of that artificial consideration, which, though it cannot be supported without abilities, often exceeds the degree of merit on which it is founded; and this consideration to the end of his life he continued to augment with much attention and many concerted intrigues. His genius, however, for war was real, and was now about to be exercised and improved in the contest with Sertorius, an excellent master, whose lessons were rough but instructive.

* Claudius, in making this motion, alluding to the supposed insignificance of both Consuls, said, that Pompey should be sent not Proconsul, but "pro Consu-" libus."

Pompey having made the levies destined for this service, took his departure from Italy by a new route, and was the first Roman general who made his way into Spain by the Alps through Gaul and the Pyrenees *. Soon after his arrival, a legion that covered the foragers of his army was intercepted and cut off by the enemy. Sertorius was engaged in the siege of Laura. Pompey advanced to relieve it. Sertorius, upon his approach, took post on an eminence. Pompey prepared to attack him, and the besieged had hopes of immediate relief. But Sertorius had made his disposition in such a manner, that Pompey could not advance without exposing his own rear to a party that was placed to attack him. "I will "teach this pupil of Sylla," he said, "to look be-"hind as well as before him;" and Pompey, seeing his danger, chose to withdraw, leaving the town of Laura to fall into the enemy's hands, while he himself continued a spectator of the siege, and of the destruction of the place. After this unsuccessful beginning of the war, he was obliged to retire into Gaul for the winter †.

U. C. 677. Cn. Octavius, C. Scribonius Curio.

The following year, Cn. Octavius and C. Scribonius Curio being Consuls, Pompey still retained his command; and having repassed the Pyrenees, directed his march to join Metellus. Sertorius lay on the Su-

* The communication with Spain had hitherto been carried on by sea, and in contradiction to this communication, Pompey was said to have taken *Hannibal's route.*

† Plutarch. in Pompeio et Sertorio. Appian. Liv. Obsequens. Frontinus Stratagem. lib. ii, c. 5.

cro *, and wished to engage one or other of these parties before their junction; and Pompey, on his part, being desirous to reap the glory of a separate victory, an action ensued, in which the wing on which Pompey fought was defeated by Sertorius; but the other wing had the victory over Perperna. As Sertorius was about to renew the action on the following day, he was prevented by the arrival of Metellus. "If the old woman had not interposed," he said, "I should have whipt the boy, and sent "him back to his schools at Rome."

This war continued about two years longer with various success, but without any memorable event, until it ended by the death of Sertorius, who, at the instigation of his associate Perperna, was betrayed and assassinated by a few of his own attendants. Perperna, having removed Sertorius by this base action, put himself at the head of both their adherents, and endeavoured to keep them united, at least until he should be able to purchase his peace at Rome. He was, however, deserted by numbers of those who had been attached to Sertorius, and at last surprised by Pompey, and slain. He had made offers to disclose the secrets of the party, and to produce the correspondence which many of the principal citizens at Rome held with Sertorius, inviting him to return into Italy, and promising to join him with a considerable force. The letters which had passed in this correspondence were secured by Pompey, and, without being opened, were burned. So mas-

* The Xucar, which falls into the Bay of Valentia.

terly an act of prudence, in a person who was yet considered as a young man, has been deservedly admired. It served to extinguish remains of the Marian faction, and reconciled men, otherwise disaffected, to a situation in which they were now assured of impunity and even of concealment.

While Pompey was thus gathering laurels in the field, C. Julius Cæsar, being about seven years younger, that is, twenty-three years of age, was returned from Asia; and, to make some trial of his parts, lodged a complaint against Dolabella, late Proconsul of Macedonia, for oppression and extortion in his province. Cotta and Hortensius appearing for the defendant, procured his acquittal. Cicero says, that he himself was then returned from a journey he had made into Asia, and was present at this trial. The following year Cæsar left Rome, with intention to pass some time under a celebrated master of rhetoric at Rhodes. In his way he was taken by pirates, and remained their prisoner about forty days, until he found means to procure from Metellus a sum of fifty talents †, which was paid for his ransom. He had frequently warned the pirates, while yet in their hands, that he should punish their insolence; and at parting, he told them to expect the performance of his promise. Upon being set on shore, he assembled and armed some vessels on the coast, pursued his late captors, took and brought them into port. From thence he hastened to Junius Silanus, the Proconsul of Bithynia, and applied

* Near to L. 10,000.

for an order to have them executed; but being refused by this officer, he made his way back with still greater dispatch, and, before any instructions could arrive to the contrary, had his prisoners nailed to the cross. Such lawless banditti had long infested the seas of Asia and of Greece, and furnished at times no inconsiderable employment to the arms of the republic. Servilius Vatia, who afterwards bore the title of Isauricus, had lately been employed against them; and, after clearing the seas, endeavoured likewise to destroy or to secure their seaports and strongholds on shore. They, nevertheless, recovered from this blow they had received from Isauricus, and continued to appear at intervals in new swarms, to the great interruption of commerce and of all the communications by sea, in the empire.

Under the reformations of Sylla, which, by disarming the tribunitian power, in a great measure shut up the source of former disorders, the republic was now restored to some degree of tranquillity, and resumed its attention to the ordinary affairs of peace. The bridge on the Tiber, which had been erected of wood, was taken down and rebuilt with stone; bearing the name of Æmilius, one of the Quæstors under whose inspection the fabric had been reared; and as a public concern of still greater importance, it is mentioned, that a treatise on agriculture, the production of Mago a Carthaginian, and in the language of Carthage, was, by the express orders of the Senate, now translated into Latin. At the reduction of Carthage, the Romans were yet governed

by husbandmen, and, amidst the literary spoils of that city, this book alone, consisting of twenty-eight rolls or volumes, was supposed to merit so much of the public attention as to be secured for the State. A number of persons, skilled in the Punic language, together with Silanus, who had principal charge of the business, were now employed in translating it *.

The calm, however, which the republic enjoyed under this period of regular government and pacific pursuits, was not altogether undisturbed. In the Consulate of Cn. Octavius and C. Scribonius Curio, the Tribune Licinius made an attempt to recover the former powers of the office. He ventured, in presence of both the Consuls, to harangue the People, and exhorted them to reassume their ancient rights. As a circumstance which serves to mark the petulant boldness of these men, it is mentioned that the Consul Octavius, on this occasion, being ill, was muffled up, and covered with a dressing which brought flies in great numbers about him. The Consuls being placed together, Curio made a vehement speech, at the close of which, the Tribune called out to Octavius, "You never can repay your "colleague's service of this day; if he had not been "near you, while he spoke, and beat the air so much "with his gesticulations, the flies must by this time "have eaten you up †." The sequel is imperfectly known; but the dispute appears to have been carried to a great height, and to have ended in a tumult, in which the Tribune Licinius was killed.

* Plin. lib. xviii. c. 3. † Cicero de Claris Oratoribus.

Upon a review of Sylla's acts intended to restore the authority of the Senate, it may be questioned, whether that clause in the law relating to the Tribunes, by which all persons having accepted of this office were excluded from any further preferment in the State, may not have had an ill effect, and required correction. It rendered the Tribunate an object only to the meanest of the Senators, who, upon their acceptance of it, ceasing to have any pretensions to the higher offices of State, were, by this means, deprived of any interest in the government, and exasperated of course against the higher dignities of the commonwealth, from which they were themselves excluded. Aurelius Cotta, one of the Consuls that succeeded Cn. Octavius and Curio, moved perhaps by this consideration, proposed to have that clause repealed, and was warmly supported by the Tribune Opimius, who, contrary to the prohibition lately enacted, ventured to harangue the People; and for this offence, at the expiration of his office, was tried and condemned *.

U. C. 678. L. Octavius, C. Aurelius Cotta.

By the defects which the People began to apprehend in their present institutions, or by the part which their demagogues began to take against the aristocracy, the Roman State, after a very short respite, began to relapse into its former troubles, and was again to exhibit the curious spectacle of a nation divided against itself, broken and distracted in its councils at home, but victorious in all its operations

* Cicer. 3tio, in Verram, et Pædianus, ibid.

abroad, and gaining continual accessions of empire, under the effect of convulsions which shook the commonwealth itself to its base; and, what is still less to be paralleled in the history of mankind, exhibiting the spectacle of a nation, which continued from the earliest ages to proceed in its affairs abroad with a success that may be imputed in a great measure to its divisions at home.

War, in the detail of its operations, if not even in the formation of its plans, is more likely to succeed under single men than under numerous councils. The Roman constitution, though far from an arrangement proper to preserve domestic peace and tranquillity, was an excellent nursery of statesmen and warriors. To individuals trained in this school, all foreign affairs were committed with little responsibility and less control. The ruling passion, even of the least virtuous citizens, during some ages, was the ambition of being considerable, and of rising to the highest dignities of the State at home. In the provinces they enjoyed the condition of monarchs; but they valued this condition only as it furnished them with the occasion of triumphs, and contributed to their importance at Rome. They were factious and turbulent in their competition for preferment and honours in the capital; but, in order the better to support that very contest at home, were faithful and inflexible in maintaining all the pretensions of the State abroad. Thus Sylla, though deprived of his command by an act of the opposite faction at Rome, and with many of his friends, who escaped from the bloody hands of their persecutors, con-

demned and outlawed, still maintained the part of an officer of State, and prescribed to Mithridates, in the terms which might have been expected from a Roman Magistrate in the most undisturbed exercise of his trust. Sertorius, in the same manner, acting for the opposite faction, in some measure preserved a similar dignity of character, and on the proposals which were made to him by the same Prince, refused to make concessions unworthy of the Roman republic. Contrary to the fate of other nations, where the State is weak, while the conduct of individuals is regular; here the State was in vigour, while the conduct of individuals was in the highest degree irregular and wild.

The reputation of the Romans, even in the intervals of war, procured them accessions of territory without labour, and without expence. Thus, kingdoms were bequeathed to them by will; as that of Pergamus formerly by the testament of Attalus; that of Cyrene, at the bequest of Ptolemy Appion; and that of Bithynia, about this time, by the will of Nicomedes. To the same effect, princes and states, where they did not make any formal cession of their sovereignty, did somewhat equivalent, by submitting their rights to discussion at Rome, and by soliciting from the Romans, grants of which the world now seemed to acknowledge the validity, by having recourse to them as the basis of tenures by which they were to hold their possessions. To the same effect also, the sons of the last Antiochus, king of Syria, having passed two years at Rome, waiting decisions of the Senate, and soliciting a grant of the

kingdom of Egypt, on which they formed their opposite pretensions, thus stated themselves as subjects or dependents on the republic of Rome.

In Asia, by these means, the Roman empire advanced on the ruin of those who had formerly opposed its progress. The Macedonian line, in the monarchy of Syria, was now broken off, or extinct. The monarchy itself was no more. For on the defeat of Antiochus at Sipylus, followed by the defection of provincial governors and tributary princes, who, no longer awed by the power of their former master, entered into a correspondence with the Romans, and were by them acknowledged as sovereigns, the empire of Syria, once so entire, was split and dismembered. In this manner also the states of Armenia, long subject to the Persians, and afterwards to the Macedonians, now became the seat of a new monarchy under Tigranes. And, to complete these revolutions of empire, the natives of the last district to which the name of Syria was affixed, weary of the degeneracy and weakness of their own court, of the irregularity of the succession to the throne of their own kingdom; weary of the frequent competitions which involved them in blood, invited Tigranes the king of Armenia to wield a sceptre which the descendants of Seleucus were no longer in condition to hold. This prince, accordingly, extended his kingdom to both sides of the Euphrates, and held the remains of Assyria itself as one of its divisions*.

In these circumstances, the Romans were left un-

* Strabo, lib. xi, fine.

disturbed to re-establish their province in the Lesser Asia: and under the auspices of Servilius, who, from his principal acquisition in those parts, had the name of Isauricus, were extending their limits on the side of Cilicia, and were hastening to the sovereignty of that coast, when their progress was suddenly checked by the re-appearance of an enemy, who had already given them much trouble in the eastern part of the empire.

Mithridates, king of Pontus, who appears to have revived in his own breast the animosities of Pyrrhus and of Hannibal against the Romans, had never ceased, since the date of his last mortifying treaty with Sylla, to devise the means of renewing the war. Having attempted in vain to engage Sylla in a league with himself against the Romans, he made a similar attempt on Sertorius, to which we have already referred. Affecting to consider this fugitive, with his little Senate, as head of the republic, he pressed for a cession of the Roman province in Asia in his own favour, and in return offered to assist the followers of Sertorius with all his forces in the recovery of Italy. In this negotiation, however, he found, as has been already remarked, that whoever assumed the character of a Roman officer of state, supported it with a like inflexible dignity. Sertorius refused to dismember the empire, but accepted of the proffered aid from Mithridates, and agreed to supply him with officers of the Roman establishment to assist in the formation and discipline of his troops.

The king of Pontus, now bent on correcting the error which is common in extensive and barbarous

monarchies, of relying entirely on numbers, with less attention to discipline or military skill, proposed to form a more regular army than that which he had assembled in the former war; and, however little successful in his attempts, he endeavoured to rival his enemy in every particular of their discipline, in the choice and use of their weapons, and in the form of their legion. With troops beginning to make these reformations, and amounting to one hundred and twenty thousand foot, and sixteen thousand horse, he made an open declaration of war, and, without resistance, took possession of Cappadocia and Phrygia, beyond the bounds which the Romans had prescribed to his kingdom. As he was to act both by sea and by land, he began with customary oblations to Neptune and to Mars. To the first he made an offering of a splendid carriage, drawn by white horses, which he precipitated from a cliff, and sunk in the sea; to the other, he made a sacrifice, which, as described by the historian *, filled the imagination more than any of the rites usually practised by ancient nations. The king, with his army, ascended the highest mountain on their route, formed on its summit a great pile of wood, of which he himself laid the first materials, and ordered the fabric to be raised in a pyramidical form to a great height. The top was loaded with offerings of honey, milk, oil, wine, and perfumes. As soon as it was finished, the army around it began the solemnity with a feast, at the end of which the pile was set

* Appian.

on fire, and in proportion as the heat increased, the host extended its circle, and came down from the mountain. The smoke and the flames continued to ascend for many days, and were seen, it is said, at the distance of a thousand stadia, or above an hundred miles *.

After this solemnity was over, Mithridates endeavoured to animate and to unite in a common zeal for his cause the different nations which, in forming his army, had been collected from the most distant parts of the empire. For this purpose he enumerated the successes by which he himself had raised his kingdom to its present pitch of greatness, and represented the numerous vices or defects of the enemy with whom he was now to contend, reciting their divisions at home, their oppression abroad, their avarice and their insatiable lust of dominion.

The Romans were some time undetermined in the choice of a person to be employed against this formidable enemy. Pompey, being still in Spain, saw with regret a service of this importance likely to fall to the share of another; and he had his partisans at Rome who would have gladly put off the nomination of any general to this command, until he himself could arrive with his army to receive it. He had about this time, impatient of his absence from Rome, wrote a letter to the Senate, complaining, in petulant terms, of their neglect, and of the straits to which the troops under his command were reduced for want of pay and provisions, and threat-

* Appian. de Bell. Mithridat.

ening, if not speedily supplied, to fall back upon Italy. The Consul Lucullus, apprehending what might be the consequence of Pompey's arrival with a military force, and wishing not to furnish him with any pretence for leaving his province, had the army in Spain completely supplied, and at the same time took proper measures to support his own pretensions to the command in Asia. From his rank as Consul in office, he had a natural claim to this station; and from his knowledge of the country, and of the war * with this very enemy, in which he had already borne some part under Sylla †, he was well entitled to plead his qualifications and his merits.

When the provinces came to be distributed, the difficulties which presented themselves in Asia were thought to require the presence of both the Consuls. The kingdom of Bithynia, which had been lately bequeathed to the Romans, was in danger of being invaded before they could obtain a formal possession of this inheritance; at the same time that the ene-

---

* Vide Cicer. in Lucullo, c. 1, et 2,

† Plutarch. in Lucul. initio. Edit. Lond. 4to, vol. iii. p. 137.

Cicero is often quoted to prove, that Lucullus, at this time, was a mere novice in war, and owed the knowledge by which he came to be distinguished, to speculation and study, not to experience. It is observed by Lord Bolingbroke, that Cicero, who, among his other pretensions to fame, aspired to that of a military commander, had an interest in having it believed that great officers might be formed in this manner: But as he could not be ignorant that Lucullus had acted under Sylla, it is probable, that he affected to consider the part which was assigned to him by Sylla, as a mere civil employment. He is indeed mentioned as having charge of the coinage with which Sylla paid his army, and of the fleet with which he transported them into Asia: but it is not to be supposed that these were the only operations confided by Sylla to a lieutenant of so much ability.

my, by whom they were threatened, was not likely to limit his operations to the attack of that country. Of the Consuls, Cotta was appointed to seize on the kingdom of Bithynia, and Lucullus, to lead the army against Mithridates wherever else he should carry the war. Cotta set out immediately for his province. Lucullus, being detained in making the necessary levies, followed some time afterwards; but before his arrival in Asia, Cotta had been obliged to evacuate Bithynia, and to take refuge in Chalcedonia. The king of Pontus, being superior both by sea and by land, had overrun the country in the neighbourhood of this place; and, having broke the chain which shut up the mouth of the harbour, entered and burnt some Roman galleys which were stationed there. Not thinking it advisable to attack the town of Chalcedonia, he turned his forces against Cyzicus, a port on the Propontis, and blocked up the place both by sea and by land; being well provided with battering engines, and the other necessaries of a siege, he had hopes of being soon able to reduce it by storm. The inhabitants, nevertheless, were prepared to resist, and were in expectation of being speedily relieved by the Romans.

Such was the state of affairs when Lucullus arrived in Asia; and having joined his new levies to the legions which had served under Fimbria, and to the other troops already in the province, he assembled an army of about thirty thousand men, with which he advanced to re-establish Cotta in his province, and to relieve the town of Cyzicus.

Mithridates being elated by his own successes,

and by the superiority of his numbers, did not sufficiently attend to the motions of Lucullus, suffered him to get possession of the heights in his rear, and to cut off his principal supplies of provisions and forage. Trusting, however, that his magazines would not be exhausted before he should have forced the town of Cyzicus to surrender, he continued the siege. But his engines not being well served, and the defence being obstinate, his army began to be distressed for want of provisions, and it became necessary to lessen his consumption. For this purpose he secretly detached some part of his cavalry, which being intercepted by the Romans on their march, were cut off or dispersed; and the king, now seeing the remainder of his troops unable to subsist any longer in their present situation, embarked on board one of his galleys, ordered the army to force their way to Lampsacus, while he himself endeavoured to escape with his fleet. In this retreat, being harassed by Lucullus, the greater part of the late besiegers of Cyzicus perished in passing the Asopus and the Granicus. The king himself, having put into Nicomedia, and from thence continuing his voyage through the Bosphorus to the Euxine, was overtaken on that sea by a storm, and lost the greatest part of his shipping. His own galley being sunk, he himself narrowly escaped in a barge.

The whole force with which the king of Pontus had invaded Bithynia, being thus dispelled like a cloud, Lucullus employed some time in reducing the towns into which any of the troops of Mithridates had been received; and having effectually destroyed

the remains of the vanquished army, took his route by Bithynia and Galatia towards Pontus. At the entrance into this kingdom was situate the town of Amysus, a considerable fortress on the coast of the Euxine, into which had been thrown a sufficient force to retard the progress of an enemy. Mithridates, under favour of the delays obtained by the defence of this place, assembled a new army at Cabira, near the frontier of Armenia. Here he mustered about forty thousand foot, and a considerable body of horse, and was soliciting the Scythians, Armenians, and all the nations of that continent to his aid.

Lucullus, in order to prevent, if possible, any further reinforcements to the enemy, committed the siege of Amysus to Murena, and advanced with his army into the plains of Cabira. On this ground the Roman horse received repeated checks from those of the enemy, and were kept in continual alarm, until their general, having time to observe the country, avoided the plains on which the king of Pontus, by means of his cavalry, was greatly superior. In pursuit of this plan, though very much straitened for provisions, Lucullus kept his position on the heights, until the enemy could be attacked with advantage. The skirmishes which happened between the foraging parties, brought into action considerable numbers from the respective armies; and the troops of Mithridates, having been routed in one of these partial encounters, the king took a resolution to decamp in the night, and remove to a greater distance from his enemy. As soon as it was dark, the

e attendants of the leading men in
om he had communicated this reso-
withdraw; and the army, greatly
appearance, was seized with a pa-
t be restrained from flight. Horse
lies of every description, crowded
outlets from the camp, and were
or in great numbers perished by
ds. Mithridates himself, endea-
d to undeceive them, was carried
nt, which could not be withstood.
is tumult being heard to a great
occasion being known in the Ro-
Lucullus advanced with his army to
usion into which the enemy were
igorous attack, having put many
tened their total rout and disper-

f was, by one of his servants, with
on horseback, and must have been
ing party had not been amused
nder, which he had ordered on
in their way. A mule, loaded
he royal treasure, turned the at-
ers, while he himself made his

ing appeared to be most affect-
is women. The greatest num-
at the palace of Pharnacea, a
fall into the hands of the ene-
patched a faithful eunuch with
death, leaving the choice of

the manner to themselves. A few are particularly mentioned. Of two, who were his own sisters, Roxana and Statira, one died uttering execrations against her brother's cruelty, the other extolling, in that extremity of his own fortune, the generous care he took of their honour. Monimé, a Greek of Miletus, celebrated for her beauty, whom the king had long wooed in vain with proffers of great riches, and whom he won at last only by the participation of his crown, and the earnest of the nuptial rites, had ever lamented her fortune, which, instead of a royal husband and a palace, had given her a prison, and a barbarous keeper. Being now told that she must die, but that the manner of her death was left to her own choice, she unbound the royal fillet from her hair, and, using it as a bandage, endeavoured to strangle herself. It broke in the attempt: "Base," she said, "it is not fit even for this!" then stretching out her neck to the eunuch, bid him fulfil his master's purpose. Berenice of Chios, another Grecian beauty, had likewise been honoured with the nuptial crown, and, having been attended in her state of melancholy elevation by her mother, who, on this occasion, likewise resolved to partake of her daughter's fate; they chose to die by poison. The mother entreated that she might have the first draught; and died before her daughter. The remainder of the dose not being sufficient for the queen, she put herself likewise into the hands of the executioner, and was strangled. By these deaths, the barbarous jealousy of the king was gratified, and

the future triumph of the Roman general deprived of its principal ornaments.

Lucullus, after his victory, having no enemy in the field to oppose him, overran the country, and passed without interruption through most of the towns in the kingdom of Pontus. He found many palaces enriched with treasure, and adorned with barbarous magnificence; and, as might be expected under such a violent and distrustful government, every where places of confinement crowded with prisoners of state, whom the jealousy of the king had secured, and whom his supercilious neglect had suffered to remain in custody, even after his jealousy was allayed.

Mithridates, from his late defeat, fled into Armenia, and claimed the protection of Tigranes, who, being married to his daughter, had already favoured him in his designs against the Romans.

This powerful prince, now become sovereign of Syria as well as Armenia, still continued his residence in the last of these kingdoms, at Tigranocerta, a city he himself had built, stocked with inhabitants, and distinguished by his own name. On the arrival of Mithridates to sue for his protection, Tigranes declined to see him, but ordered him a princely reception in one of the palaces.

Lucullus continued his pursuit of this flying enemy only to the frontier of Armenia, and from thence, sending Publius Clodius, who was his brother-in-law, to the court of Tigranes, with instructions to require that Mithridates should be delivered up as a lawful prey, he himself fell back into the kingdom of Pon-

tus, and soon after reduced Amysus, together with Sinopé, and other places of strength, which were held by the troops of the king.

The inhabitants of these places had been originally colonies from Greece, and having been subdued by the Persians, were, on the arrival of Alexander the Great, from respect to their origin, restored to their freedom. In imitation of this example, and agreeably to the profession which the Romans ever made of protecting the liberties of Greece, Lucullus once more declared those cities to be free.

In his quality of Proconsul, having now sufficient leisure to attend to the general state of the Roman affairs that were committed to his government, he found the following particulars, from which we may collect the measure of abuse to which the conquered provinces were exposed. The collectors of revenue, under pretext of levying the tax imposed by Sylla, had been guilty of the greatest oppressions. The inhabitants, in order to pay this tax, borrowed money of the Roman officers and merchants at exorbitant interest; and, when they no longer had any credit, their effects were distrained for payment, or themselves threatened with imprisonment and tortures:* private persons were reduced to the necessity of exposing their children to sale, and corporations of selling the pictures, images, and other ornaments of their temples, in order to satisfy these inhuman creditors. Willing to restrain, or to correct these abuses, Lucullus ordained, that where the sum exacted for usury was equal to the capital, the debt should be cancelled; and in other cases, fixed

the interest at a moderate rate. These acts of beneficence or justice to the provinces, were, by the farmers of the revenue, represented as acts of oppression and cruelty to themselves, and were, among their connections, and the sharers of their profits at Rome, stated against Lucullus as subjects of complaint and reproach.

CHAP. XVI.

Escape and revolt of the gladiators at Capua.—Spartacus.—Action and defeat of Lentulus the Roman consul.—And of Cassius the Prætor of Gaul.—Appointment of M. Crassus for this service.—Destruction of the gladiators.—Triumph of Metellus and Pompey.—Consulship of Pompey and Crassus.—Tribunes restored to their former powers.—Consulate of Metellus and Hortensius.—War in Crete.—Renewal of the war in Pontus and Armenia.—Defeat of Tigranes.—Negotiation with the king of Parthia.—Mutiny of the Roman army.—Complaints of piracies committed in the Roman seas.—Commission proposed to Pompey.—His conduct against the pirates.—His commission extended to Pontus.—Operations against Mithridates.—Defeat and flight of that prince.—Operations of Pompey in Syria.—Siege and reduction of Jerusalem.—Death of Mithridates.

U. C. 680. M. Teren. Varro, C. Cass. Varus.

Soon after the war, of which we have thus stated the event, had commenced in Asia, Italy was thrown into great confusion by the accidental escape of a few gladiators from the place of their confinement at Capua. These were slaves trained up to furnish their masters with a spectacle, which, though cruel and barbarous, drew numerous crowds of beholders. It was at first introduced as a species of human sacrifice at funerals, and such victims were now kept by the wealthy

in great numbers for the entertainment of the public, and even for private amusement. The handsomest, the most active, and the boldest of the slaves or captives were selected for this purpose. They were sworn to decline no combat, and to shun no hardship, to which they were exposed by their masters; they were of different denominations, and accustomed to fight in different ways; but those from whom the whole received their designation, employed the sword and buckler, or target; and they commonly fought naked, that the place and nature of the wounds they received might the more plainly appear.

Even in this prostitution of valour, refinements of honour were introduced. There were certain graces of attitude which the gladiator was not permitted to quit, even to avoid a wound. There was a manner which he studied to preserve in his fall, in his bleeding posture, and even in his death. He was applauded, or hissed, according as he succeeded or failed in any of these particulars. When, after a tedious struggle, he was spent with labour and with the loss of blood, he still endeavoured to preserve the dignity of his character, dropt or resumed the sword at his master's pleasure, and looked round to the spectators for marks of their satisfaction and applause *.

Persons of every age, condition and sex, attended at these exhibitions; and when the pair who were engaged began to strain and to bleed, the spectators,

* Cic. Tusculanarum, lib. ii, c. 17.

being divided in their inclinations, endeavoured to excite, by their cries and acclamations, the party they favoured; and when the contest was ended, called to the victor to strike, or to spare, according as the vanquished was supposed to have forfeited or to have deserved his life *. With spectacles of this sort, which must create so much disgust and horror in the recital, the Romans were more intoxicated than any populace in modern Europe now are with the baiting of bulls, or the running of horses, probably because they were more deeply affected, and more intensely moved by the scene.

Spartacus, a Thracian captive, who, on account of his strength and activity, had been destined for this barbarous profession, with about seventy or eighty of his companions, having escaped from their place of confinement, armed themselves with such weapons as accident presented to them, and retiring to some fastness on the ascents of Vesuvius, from thence harassed the country with robberies and murders. "If we are to fight," said the leader of this desperate band, "let us fight against our oppressors, "and in behalf of our own liberties, not to make "sport for this petulant and cruel race of men." Multitudes of slaves from every quarter flocked to his standard. The Præfect of Capua turned out the inhabitants of his district against them, but was defeated.

This feeble and unsuccessful attempt to quell the insurrection, furnished the rebels with arms, and raised their reputation and their courage. Their leader,

* Cicero pro Sexto, c. 27. Tuscul. Quæst. Spartacus, lib. ii, c. 17.

by his generosity in rejecting his own share of any booty he made by his conduct and his valour, acquired the authority of a legal commander; and, having named Crixus and Oenomaus, two other gladiators, for his subordinate officers, he formed the multitudes that resorted to him into regular bodies, employed a certain number to fabricate arms, and to procure the necessary accommodations of a camp, till at length he collected an army of seventy thousand men, with which he commanded the country to a great extent. He had already successively defeated the Prætors Clodius, Varinus, and Cossinius, who had been sent against him with considerable forces, so that it became necessary to order proper levies, and to give to the Consuls the charge of repressing this formidable enemy.

Spartacus had too much prudence to think himself fit to contend with the force of the Roman State, which he perceived must soon be assembled against him. He contented himself, therefore, with a more rational scheme, of conducting his army by the ridge of the Appenines, till he should gain the Alps, from whence his followers, whether Gauls, Germans, or Thracians, might separate, each into the country of which he was a native, or from which he had been brought into the state of bondage, from which they now endeavoured to extricate themselves.

U. C. 681. L. Gell. Poplicola, Cn. Corn. Lent. Clodianus.

While he began his progress by the mountains, in order to execute this project, the Consuls, Gellius and Lentulus, had already taken the field against him. They at first surprised and cut off a considerable body un-

der Crixus, who had fallen down from the heights in order to pillage the country. But Lentulus afterwards pressing hard upon Spartacus, who led the main body of the rebels, brought on an action, in which the consular army was defeated with considerable loss. Cassius too, the Prætor of Cisalpine Gaul, having advanced upon him with an army of ten thousand men, was repulsed with great slaughter.

In consequence of these advantages, Spartacus might no doubt have effected his retreat to the Alps; but his army being elated with victory, and considering themselves as masters of Italy, were unwilling to abandon their conquest. He himself formed a new project of marching to Rome; and for this purpose destroyed all his superfluous baggage and cattle, put his captives to death, and refused to receive any more of the slaves, who were still in multitudes resorting to his standard. He probably expected to elude or to pass the Roman armies without a battle, and to force the city of Rome itself by an unexpected assault. In this he was disappointed by the Consuls, with whom he was obliged to fight in the Picenum; and, though victorious in the action, he lost hopes of surprising the city. But still thinking himself in condition to keep his ground in Italy, he only altered his route, and directed his march towards Lucania.

The Romans, greatly embarrassed, and thrown into some degree of consternation, by the unexpected continuance of an insurrection which had given them much trouble, and which exposed their armies

to much danger, with little prospect of honour; not being courted, as usual, for the command in this service, they imposed, rather than conferred it on Marcus Crassus, then in the rank of Prætor, and considered as a person of consequence, more on account of his wealth, than of his abilities; though in this service, after others had failed, he laid the foundation of a more favourable judgment. They at the same time sent orders to Pompey, who had finished the war in Spain, to hasten into Italy with his army; and to the Proconsul of Macedonia, to embark with what forces could be spared from his province.

Crassus assembled no less than six legions, with which he joined the army which had been already so unsuccessful against the revolt. Of the troops who had miscarried, he is said to have executed, perhaps only decimated, four thousand, as an example to the new levies, and as a warning of the severities they were to expect for any failure in the remaining part of the service.

Upon his arrival in Lucania he cut off ten thousand of the rebels, who were stationed at a distance from the main body of their army, and he endeavoured to shut up Spartacus in the peninsula of Brutium, or head of land which extends to the Straits of Messina. The gladiators desired to pass into Sicily, where their fellow-sufferers, the slaves of that island, were not yet entirely subdued, and where great numbers at all times were prepared to revolt: but they were prevented by the want of shipping. Crassus at the same time undertook a work of great labour, that of intrenching the land from sea to sea

with a ditch fifteen feet wide, and as many deep, extending, according to Plutarch, three hundred stadia, or above thirty miles. Spartacus endeavouring to interrupt the execution of this work, was frequently repulsed; and his followers beginning to despond, entertained thoughts of surrender. But, in order to supply by despair what they lost in courage, he put them in mind that they fought not upon equal terms with their enemies; that they must either conquer or be treated as fugitive slaves; and, to enforce his admonitions, he ordered one of his captives to be nailed to the cross in sight of both armies. "This," he said to his own people, "is an "example of what you are to suffer if you fall into "the enemy's hands."

Whilst Crassus was busy completing his line of countervallation, Spartacus prepared to force it; and, having provided faggots and other materials for this purpose, filled up the ditch at a convenient place, and passed it in the night with the whole body of his followers. Directing his flight to Apulia, he was pursued, and greatly harassed in his march.

Accounts being received at once in the camp of Crassus and in that of Spartacus, that fresh troops were landed at Brundisium from Macedonia, and that Pompey was arrived in Italy, and on his march to join Crassus, both armies were equally disposed to hazard a battle; the gladiators, that they might not be attacked at once by so many enemies as were collecting against them; and the Romans under Crassus, that Pompey might not arrive to snatch out of their hands the glory of terminating the war.

Under the influence of these different motives, both leaders drew forth their armies; and when they were ready to engage, Spartacus, with the valour rather of a gladiator than of a general, alighting from his horse, and saying aloud, in the hearing of his followers, "If I conquer to-day, I shall be better "mounted; if not, I shall not have occasion for a "horse," he plunged his sword into the body of the animal. With this earnest of a resolution to conquer or to die, he advanced towards the enemy; directing the division in which he himself commanded, to make their attack where he understood the Roman general was posted. He intended to decide the action by forcing the Romans in that quarter; but after much bloodshed, being mangled with wounds, and still almost alone in the midst of his enemies, he continued to fight till he was killed; and the victory of course declared for his enemy. About a thousand of the Romans were slain: of the vanquished the greatest slaughter, as usual in ancient battles, took place after the flight began. The dead were not numbered; about six thousand were taken, and, in the manner of executing the sentence of death on slaves, they were nailed to the cross in rows, that almost lined the way from Capua to Rome. Such as escaped from the field of battle, being about five thousand, fell into the hands of Pompey, and furnished a pretence to his flatterers for ascribing to him the honour of terminating the war.

The mean quality of the enemy, however, in the present case, precluded even Crassus from the honour of a triumph; he could have only an ovation

or military procession on foot. But instead of the myrtle wreath, usual on such occasions, he had credit enough with the Senate to obtain the laurel crown *.

Pompey too arrived at the same time in the city with new and uncommon pretensions, requiring a dispensation from the law and established forms of the commonwealth. The service he had conducted in Spain being of the nature of a civil war of Roman citizens against one another, or against subjects of the empire, with a Roman general at their head, did not give a regular claim to a triumph: The victor himself was yet under the legal age, and had not passed through any of the previous steps of Quæstor, Ædile and Prætor; yet on the present occasion he not only insisted on a triumph, but put in his claim likewise to an immediate nomination to the office of Consul.

It now became extremely evident, that the established honours of the State, conferred in the usual way, were not adequate to the pretensions of this young man: that he must have new and singular appointments, or those already known bestowed on him in some new and singular manner. His enemies observed, that he avoided every occasion of fair competition with his fellow-citizens; that he took a rank of importance to himself, which he did not submit to have examined; and that he ever aspired to an eminence in which he might stand alone, or in the first place of public consideration and ho-

* Ad. Gellius, lib. v.

nour. His partisans, on the contrary, stated the extraordinary favours bestowed on him, as the foundation of still farther distinctions *. In enumerating his services upon his return from Spain, they reckoned up, according to Pliny, eight hundred and seventy-one towns, from the Pyrenees to the extremities of that country, which he had reduced; observed that he had surpassed the glory of all the officers who had gone before him in that service; and, in consequence of these representations, though still in a private station, he was admitted to a triumph, or partook with Metellus in this honour.

Pompey had hitherto, in all the late disputes, taken part with the aristocracy; but not without suspicion of aiming too high for republican government of any sort. While he supported the Senate, he affected a kind of distinction superior to those who composed it, and was not content with equality, even among the first ranks of his country. He acquiesced, nevertheless, in the mere show of importance, and did not insist on prerogatives which might have engaged him in contests, and exposed his pretensions to too near an inspection. Upon his approach at the head of an army from Spain, the Senate was greatly alarmed; but he gave the most unfeigned assurances of his intention to disband his army as soon as they should have attended his triumph. The Senate accordingly gave way to this irregular pretension, and afterwards to the pretension, still more dangerous, which, without any of

* Vid. Cicer. pro Lege Manilia.

the previous conditions which the law required, he made to the Consulate. Crassus, who having been Prætor in the preceding year, now stood for the same office, entered into a concert with Pompey, by which, notwithstanding their mutual jealousy of each other, they joined their interests, and were elected together.

U. C. 685. M. Licin. Crassus, Cn. Pomp. Magnus.

Under the administration of these officers, some important laws are said to have passed, although most of the particulars have escaped the notice of those from whom our accounts are taken. It appears that Pompey now began to pay his court to the popular faction; and, though he professed to support the authority of the Senate, wished to have it in his power, on occasion, to take the sense of what was called the Assembly of the People against them, or, in other words, to counteract them by means of the popular tumults which bore this name.

The Tribunes, Quinctius and Palicanus, had for two years successively laboured to remove the bars which had, by the constitution of Sylla, been opposed to the abuses of the tribunitian power. They had been strenuously resisted by Lucullus and others, who held the office of Consul, during the dependence of the questions which had arisen on that subject. By the favour of Pompey and Crassus, however, the Tribunes obtained a restitution of the privileges which their predecessors, in former times of the republic, had so often abused; and, together with the security of their sacred and inviolable character, and their negative in all proceedings of the State, they

were again permitted to propose laws, and to harangue the People; a dangerous measure, by which Pompey at once rendered fruitless that reformation which was the only apology for the blood so lavishly shed, not only by Sylla, but likewise by himself. Caius Julius Cæsar, at the same time, having the rank of Legionary Tribune conferred upon him by the public choice, was extremely active in procuring those popular acts; a policy in which he was more consistent with himself than Pompey, and only pursued the course of that party with which he had been associated in his earliest years *.

Under this Consulate, and probably with the encouragement of Pompey, the law of Sylla, respecting the judicatures, was, upon the motion of the Prætor, Aurelius Cotta, likewise repealed; and it was permitted to the Prætors to draught the judges in equal numbers from the Senate, the Knights, and a certain class of the People *, whose description is not clearly ascertained. This was, perhaps, a just correction of Sylla's partiality to the Nobles; and, if it had not been accompanied by the former act, which restored to the Tribunes powers which they had so often abused, might have merited applause.

Lex Aurelia Judiciaria.

In the mean time, corruption spread with a hasty pace; among the lower ranks, in contempt of government; among the higher, in covetousness and prodigality, with an ardour for lucrative appointments, and the opportunity of extortion in the pro-

* Suetonius in C. Jul. Cæsar, lib. i. * Tribuni Ærarii.

vinces. As the offices of State at Rome began to be coveted with a view to the employments abroad, to which they conducted, Pompey, in order to display his own disinterestedness, with an oblique reproof to the nobility who aspired to magistracy with such mercenary views, took a formal oath in entering on his Consulate, that he would not, at the expiration of his office, accept of any government in the provinces. By this example of generosity in himself, and by the censure it implied of others, he obtained great credit with the People, and furnished his emissaries, who were ever busy in sounding his praise, with a pretence for enhancing his merit. It may, however, from his character and policy in other instances, be suspected, that he remained at Rome with intention to watch opportunities of raising his own consideration, and of obtaining, by the strength of his party, any extraordinary trust or commission of which the occasion should arise.

This adventurer, in the administration of his Consulate, had procured the revival of the Censors' functions. These had been intermitted about sixteen years, during great part of which time the republic had been in a state of civil war; and the prevailing parties, in their turns, mutually had recourse to acts of banishment, confiscations, and military executions against each other. In such times, even after the sword was sheathed, the power of Censor, in the first heat of party-resentment, could not be safely intrusted with any of the citizens; and the attempts which were now made to revive it, though in appearance successful, could not give it a perma-

nent footing in the commonwealth. The public was arrived at a state in which men complain of evils, but cannot endure their remedies.

L. Gellius Poplicola and Cn. Cornelius Lentulus, being intrusted, in the character of Censors, with the making up of the rolls of the People, mustered four hundred and fifty thousand citizens. They purged the Senate with great severity, having expunged sixty-four from the number, and among these C. Antonius, afterwards Consul, assigning as their reason, that he, having the command on the coasts of Asia and Greece, had pillaged the allies, and mortgaged and squandered his own estate. But what most distinguished this Censorship was an incident, for the sake of which, it is likely, the solemnity of the Census had been now revived.

It was customary on such occasions for the Knights to pass in review, each leading his horse before the Censors. They were questioned respecting their age, the number of their campaigns, and the persons under whose command they had served; and if they had been already on the military list the ten years prescribed by law, they received an exemption for the future, and were vested with the privileges which were annexed to this circumstance. At this part of the ceremony the People were surprised to see their Consul, Pompey the Great, descending into the market-place, leading his horse in quality of a simple Knight, but dressed in his Consular robes, and preceded by the Lictors. Being questioned by the Censors, whether he had served the stated number of years, he answered that he had, and all of them in ar-

mies commanded by himself. This farce was received with loud acclamations of the People; and the Censors having granted the customary exemption, rose from their seats, and, followed by a great multitude of the People, attended this equestrian Consul to his own house *.

It is observed that Crassus and Pompey, although they entered on office in concert, yet differed in the course of their administration on subjects which are not particularly mentioned. As Crassus was in possession of great wealth, he endeavoured, by his liberalities, to vie with the imposing state and popular arts of his colleague. In this view he gave a public entertainment at ten thousand tables, and distributed three months' provision of corn to the more indigent citizens. To account for his being able to court the People in so sumptuous a manner, it is said, that having inherited from his father a fortune of three hundred talents, or near sixty thousand pounds; he increased it, by purchasing at a low price the estates of those who were prescribed in the late troubles, and by letting for hire the labour of a numerous family of slaves, instructed in various arts and callings; and by these means was become so rich, that when, some time after this date, he was about to depart for Asia, and consecrated the tenth part of his estate to Hercules, he was found to possess seven thousand one hundred talents, or about

* Plutarch. in Pompeio. Pompey, it is probable, was still no more than a Knight, having a seat in the Senate as magistrate, without being yet placed on the rolls.

one million three hundred and seventy thousand and three hundred pounds Sterling *.

Pompey, at the expiration of his year in the Consulship, agreeably to the oath he had taken, remained at Rome in a private station; but, still unchanged in his manner, maintained the reserve and stateliness of a person raised above the condition of a mere citizen, or even above that of the first Senators of consular rank. Other candidates for consideration and public honours endeavoured, by their talents and eloquence, to make themselves necessary to those who had affairs to solicit with the public, or even to make themselves feared by those who were obnoxious to the law. They laboured to distinguish themselves as able advocates or formidable accusers at the bar, and to strengthen their interest by procuring the support of those to whom their talents either were or might become of importance. Pompey, on the contrary, stating himself as an exception to common rules, avoided the courts of justice and other places of ordinary resort, did not commit his talents to the public judgment, nor present his person to the public view; took the respect that was paid to him as a right; seldom went abroad, and never without a numerous train of attendants †. He was formed for the state of a prince, and might have stolen into that high station even at Rome, if men, borne to equality, could have suffered an elevation which no mea-

* Plutarch. in Crasso. As the interest of money was prohibited at Rome, under the denomination of usury being clandestine, was in fact unlimited, the annual return for such a capital must have been immense.

† Plutarch. in vit. Pomp.

sure of personal merit could at once have procured; or had been willing, when troubled with faction, to forego their own importance, in order to obtain peace and the comforts of a moderate government. The pretensions of Pompey, however, were extremely disagreeable to the Senate, and not otherwise acceptable, even to the People, than as they tended to mortify the pride of that order of men.

U. C. 684. Q. Hortensius, Q. Cæcil. Metellus Creticus.

The Consulate of Crassus and Pompey was succeeded by that of Q. Hortensius and Q. Cæcilius Metellus. In the distribution of provinces, Crete, with the command of an armament to be sent into that island, fell to the lot of Hortensius; but this citizen, having acquired his consideration by his eloquence in pleading the causes of his friends, and being accustomed to the bar, perhaps in a degree that interfered with the ordinary military character of a Roman officer of State, declined to accept of this government; leaving it, together with the command of the army that was to be employed in the reduction of the island, to his colleague Metellus, who afterwards received the appellation of Creticus, from the distinction he acquired in this service.

The Cretans, and most of the other seafaring people on the confines of Asia and Europe, had in the late war taken an active part against the Romans. They had, by the influence of Mithridates, and by their own disposition to rapine and piracy, been led to prey upon the traders, and upon the carriers of revenue who were frequently passing to Rome from the provinces. The desire of sharing in the profits

that were made by this species of war, had filled the sea with pirates and freebooters, against whom the Senate had employed a succession of officers with extensive commands, on the coasts both of Asia and Europe. Among others, M. Antonius had been sent on this service, and was accused of abusing his power, by oppressing the Sicilians, and the people of other maritime provinces, who were innocent of the crimes he was charged to repress. In a descent on the island of Crete he was defeated and killed *, and left the Romans engaged with the people of that island in a war which was thought to require the presence of one of the Consuls. And the lot, as has been observed, having fallen on Hortensius, was transferred to his colleague Metellus.

U. C. 685. L. Cæc. Metellus, Q. Mar. Rex.

Such was the state of affairs, and such the destination of the Roman officers, when Lucullus received from Tigranes a return to the demand which he made of having Mithridates delivered up as his prisoner. This prince, at the arrival of Clodius, who bore the message, had made a progress to the coasts of Phœnicia, and to the farther extremities of his empire. To verify the state and title which he assumed of King of Kings, he affected, when he mounted on horseback, to have four captive sovereigns to walk by his stirrup, and obliged them, on other occasions, to perform every office of menial duty and servile attendance on his person. Lucullus, instead of the style which was affected by this prince, had accosted him

* Pædianus in Orat. in Verrem.

in his letter only with the simple title of king. His messenger, however, was admitted to an audience, and made his demand that Mithridates, a vanquished enemy, whose territories were already in the possession of the Romans, should be delivered up to adorn the victor's triumph. This, if refused, said the bearer of the message, the Roman general would be entitled to extort by force, and would not fail, with a mighty army for that purpose, to pursue his fugitive wherever he was received and protected. The king of Armenia, unused even to a plain address, much less to insult and threats, heard this demand with real indignation; and though, with an appearance of temper, he made offer of the customary presents and honours to the person who delivered the message, he took his resolution against those from whom it came, and from having barely permitted Mithridates to take refuge in his kingdom, determined to espouse his cause. He gave for answer to Clodius, that he would not deliver up the unfortunate king, and that, if the Romans invaded his territories, he knew how to defend them. He soon afterwards admitted Mithridates into his presence, and determined to support him with the necessary force against his enemies.

Upon receiving this answer from Tigranes, Lucullus resolved without delay to march into Armenia. He chose for this expedition two legions and a body of horse, on whom he prevailed, though with some difficulty, to enter on a new war at a time when they flattered themselves that their labours were ended, and that the rewards they expected

were within their reach. With hasty marches he arrived on the Euphrates, and passed that river before the enemy were aware of his approach. Tigranes treated the first reports of his coming with contempt, and ordered the person who presumed to bring such accounts to be punished. But being assured, beyond a possibility of doubt, that an enemy was actually on his territories, he sent Metrodorus, one of his generals, at the head of a considerable force, with orders to take alive the person of Lucullus, whom he was desirous to see, but not to spare a man of the whole army besides.

With these orders, the Armenian general set out on the road by which the Romans were known to advance, and hastened to meet them. Both armies, on the march, had intelligence of each other. Lucullus, upon the approach of the enemy, halted, began to intrench, and, in order to gain time, detached Sextilius, with about three thousand men, to observe the Armenians, and, if possible, without risking an action, to amuse them till his works were completed. But such was the incapacity and presumption of the enemy, that Sextilius, being attacked by them, gained an entire victory with but a part of the Roman army; Metrodorus himself being killed, his army was put to the rout with great slaughter.

After this victory, Lucullus, in order the more effectually to alarm and to distract the Armenians, separated his army into three divisions. With one he intercepted and dispersed a body of Arabs, who were marching to join the king; with another he sur-

prised Tigranes himself, in a disadvantageous situation, and obliged him to fly with the loss of his attendants, equipage, and the baggage of his army. At the head of the third division he himself advanded to Tigranocerta, and invested that place.

After these disasters, Tigranes made an effort to assemble the force of his kingdom; and bringing into the field all the troops of his allies, as well as his own, mustered an army of one hundred and fifty thousand heavy-armed foot, fifty-five thousand horse, and twenty thousand archers and slingers. He was advised by Mithridates not to risk a battle, but to lay waste the country from which the Romans were supplied with provisions, and thereby oblige them to raise the siege of Tigranocerta, and repass the Euphrates, with the disadvantage of having an enemy still in force to hang on their rear. This counsel of Mithridates, founded in the experience he had so dearly bought, was ill suited to the presumption of the king. He therefore advanced towards the Romans, impatient to relieve his capital, and the principal seat of his magnificence. Lucullus, trusting to the specimens he had already seen of the Armenian armies, ventured to divide his force, and without raising the siege, marched with one division to meet this numerous enemy. In the action that followed, the Armenian horse being in the van, were defeated, and driven back on the foot of their own army, threw them into confusion, and gave the Romans an easy victory, in which, with very inconsiderable loss to themselves, they made a great slaughter of the enemy. The king himself, to avoid

being known in his flight, unbound the royal diadem from his head, and left it to become a part in the spoils of the day.

Mariæus, who commanded in Tigranocerta, hearing of his master's defeat, and fearing a revolt of the Greeks and other foreigners who had been assembled by force in that settlement, ordered them to be searched and disarmed. This order they looked on as the prelude to a massacre, and crowding together, defended themselves with the clubs and other weapons they could seize. They surrounded a party that was sent to disperse them, and having by that means got a supply of arms, they took possession of a tower which commanded one of the principal gates, and from thence invited the Romans to enter the place. Lucullus accordingly seized the opportunity, and became master of the city. The spoil was great; Tigranes having collected here, as at the principal seat of his vanity, the wealth and magnificene of his court.

Mithridates, who had been present in the late action, met the king of Armenia in his flight; and, having endeavoured to re-establish his equipage and his retinue by a participation of his own, exhorted him not to despair, but to assemble his army anew, and to persist in the war. They agreed, at the same time, on an embassy to the king of Parthia, with offers of reconciliation on the part of Tigranes, who, at this time, was at war with that prince, and of satisfaction on the subjects in contest between them, provided the Parthians would join in the confederacy against the Romans. They endeavoured to per-

suade the king of Parthia, that he was by no means an unconcerned spectator in the present contest; that the quarrel which the Romans now had with the kings of Armenia and Pontus, was the same with that which they formerly had with Philip and with Antiochus, and which, if not prevented, they would soon have with Arsaces, and was no other than his being possessed of a rich territory, which tempted their ambition and avarice. Those republicans, they said, originally had not any possessions of their own, and were grown rich and great only by the spoils of their neighbours. From their stronghold in Italy, they had extended their empire on the West to the coast of the ocean; and, if not interrupted by the powerful monarchies which lay in their way, were hastening to reach a similar boundary on the East. The king of Parthia, they added, might expect to be invaded by these insatiable conquerors, and must now determine whether he would engage in a war joined with such powerful allies, of whom one by his experience, the other by his resources, might enable him to keep the danger at a distance from his own kingdom *, or wait until these powers being overthrown, and become an accession to the Roman force, he should have the contest to maintain in his own territory singly and unsupported from abroad. To these representations Arsaces seemed to give a favourable ear, agreed to the proposed confederacy, on condition that Mesopotamia, which he had formerly claimed, was now delivered

* Letter of Mithridates in the Fragments of Sallust.

up to him. At the same time he endeavoured to amuse Lucullus with offers of alliance against the king of Armenia.

In this conjuncture, it probably was, that Lucullus, in the apprehension of being superseded and deprived of the honour of terminating the war, made his report that the kingdom of Mithridates was now in his possession, and that the kingdom of Tigranes was also in his power; and therefore, that the Senate should, instead of a successor, send the usual commission to settle the form of the province, and to make a proper establishment to preserve the territories which he had already subdued. But after these representations were dispatched by Lucullus, it became apparent that the king of Parthia had deceived him with false professions, while he actually made great progress in a treaty with his enemies the kings of Armenia and Pontus, and meant to support them with all his force. In resentment of this act of treachery, or to prevent the effects of it, Lucullus proposed to carry the war into Parthia; and, for this purpose, ordered the legions that were stationed in Pontus to march without delay into Armenia.

These troops, however, already tired of the service, and suspecting that they were intended for some distant and hazardous enterprise, broke out into open mutiny, and refused to obey their officers. This example was soon afterwards followed by other parts of the army; and the general was obliged to confine his operations to the kingdom of Armenia. He endeavoured, by passing the mountains near to the sources of the Euphrates and the Tigris, to pe-

netrate as far as Artaxata, the capital of the kingdom. By this march he forced Tigranes once more to hazard a battle, and obtained a victory; but his own army, notwithstanding their success, were so much discouraged with the change of climate, which they experienced in ascending the mountains of Armenia, and with the early and severe approach of winter in those high lands, that they again mutinied, and obliged their general to change his plan of the war. He accordingly turned his march to the southward, fell down on Mesopotamia, and, after a short siege, made himself master of Nisibis, a rich city in that territory, where, with other captives, he took Guras, brother to the king, who commanded in the place.

Here, however, the mutinous spirit still continuing to operate in the Roman army, it began to appear, that the general, who had so often overcome the kings of Pontus and Armenia, was better qualified to contend with an enemy, than to win or to preserve the good-will of his own troops. A report being spread that he was soon to be recalled, he, from that moment, lost the small remains of his authority; the legions deserted their colours, and treated with scorn or indifference all the attempts which he made to retain them.

This mutiny began in that part of the army, which, having been transported into Asia with the Consul Valerius Flaccus at their head, had murdered this general, to put themselves under the command of Fimbria, and afterwards deserted their new leader to join with Sylla. Such crimes, under the late un-

happy divisions of the republic, either remained unpunished, or were stated as merits with the party in whose favour the crime was committed. These legions, however, were, by Sylla, who was not willing to employ such instruments, or to intrust his own fate, or that of the commonwealth, in such hands, left in Asia, under pretence of securing the province; and they accordingly made a considerable part in the armies successively commanded by Murena and by Lucullus. The disposition which they now exhibited, and that of the army in general, to disorder and mutiny, was greatly excited by the factious spirit of Publius Clodius, the relation of Lucullus, who, having himself taken offence at the general, gave this earnest of his future conduct in the State, by endeavouring to stir up rebellion among the troops. "We, "who have already undergone so many hardships," he said, "are still kept on foot to escort the camels "which carry the treasures of our general, and are "made to pursue, without end, a couple of barba-"rous fugitives over barren desarts, and uncultivated "wastes; while the soldiers of Pompey, after a few "campaigns in Spain, or in Italy, are enjoying the "fruits of their labour in comfortable settlements, "procured by the favour of their leader."

Lucullus was so much aware of the decline of his authority, that he did not venture to hazard an affront by attempting to effect even a mere change of position. He hoped, that while he did not issue any orders of moment, the resolution of his army not to obey him might remain a secret to the enemy. This state of his affairs, however, soon became known to

Mithridates, and encouraged him to hope he might be able to recover his kingdom. That he might not suffer the opportunity to escape him, he fell back into Pontus, with what troops he had then under his command, and, by his authority and influence over his own subjects, soon augmented his force, penetrated among the scattered quarters of the Romans, who were left to occupy the country, and separately surprised or destroyed considerable bodies of their troops. Among these, he attacked and defeated Fabius, the officer who was intrusted with the general command; and this king, though now turned of seventy, exposing his own person in the action, received a wound which stopped him in the pursuit of his victory, and by that means prevented its full effect.

Lucullus, being informed of what had passed in Pontus, had influence enough with the army, now anxious for their own safety, to put them in motion towards that kingdom; but before his arrival, Mithridates had shut up Fabius in Cabira, and defeated Triarius with considerable slaughter. Here again the veteran monarch was wounded; and, to satisfy the troops that he was not dead, was raised up on a platform, where he remained in sight of the army while his wound was dressed. In this last defeat the Romans lost twenty-four legionary Tribunes, one hundred and fifty Centurions, and seven thousand men.

It was not doubted, however, that Lucullus, on his arrival, if the men had been disposed to act under his command, would have been able soon to retrieve his affairs; but he was at this time superseded;

and it was known in the army, that Acilius Glabrio was set out from Rome on his way to succeed him. The legions, therefore, under pretence that Lucullus was no longer their general, or that they themselves, by a decree of the People, had received their dismission, refused to obey him; and numbers, in fact, began to disband, taking the route of Cappadocia on their return to Italy.

This was the state of affairs when the commissioners, who, upon the report of Lucullus, had been sent by the Senate to settle the kingdom of Pontus in the form of a province, actually arrived. They found the Proconsul destitute of power in his own camp, and Mithridates, whom they believed to be vanquished, again in possession of his kingdom, and joining to the experience of old age all the ardour and enterprise of youth *.

The Roman army in Asia, as a prelude to their present defection, had been taught to contrast the parsimony of Lucullus with the liberality and munificence of Pompey, and from the comparison they made, were impatient to change their leader, a disposition, which, it is not doubted, Pompey, by his intrigues, and with the aid of his agents, greatly encouraged. He could in reality ill brook the private station to which, by his late oath, in entering on the Consulate, he had bound himself. As he ever studied to support the public opinion of his own importance, he wished for occasions to derive some advantage from that opinion; but nothing had occur-

* Appian. Bell. Mithridat. Plutarch in Lucullo. Dio Cassius.

red for two years that was worthy of the high distinction to which he aspired. The command in Asia he coveted the more, that it seemed to be secured to Lucullus by the splendour of his successes, and by the unanimous judgment of the Senate and Nobles, who knew his faithful attachment to their order, and his fidelity to the aristocratical part of the constitution. The difficulties in that service were over, and nothing but the glory of terminating the war remained. Pompey, either from envy to Lucullus, or from a design to open a way to this glory for himself, contributed to the appointment of Glabrio, and to the nomination of the Prætors, who were sent with separate commands into the provinces of Asia and Bithynia. If, upon the change he had thus produced, the war should become unsuccessful, or languish, he had hopes to be called for by the general voice of the People, as the only person fit to bring it to a happy conclusion. Meanwhile a project was started, which was to place him near to this scene of action, and, if judged expedient, was likely to facilitate his farther removal, to the command of the army in Pontus.

The pirates still continued to infest the seas, and were daily rising in their presumption, and increasing in their strength. They were receiving continual accession of numbers from those, who, by the unsettled state of Asia, were forced to join them for subsistence. The impunity which they enjoyed during the distraction of councils at Rome, and the profits they made by their depredations, encouraged many who frequented the seas to engage in the same

way of life. They had been chaced, and numbers of them taken, by M. Antonius the orator, by Servilius Isauricus, and last of all, by C. Antonius the father of him who, in the quality of Triumvir, is to become so conspicuous in the sequel of this history. But they had their retreats; and, upon the least remission of vigilance in the Roman officers, they again multiplied apace, put to sea in formidable squadrons, and embarked such numbers of men, as not only enabled them to scour the seas, but likewise to make descents on the coasts, to enter harbours, destroy shipping, and pillage the maritime towns. They even ventured to appear off the mouth of the Tiber, and to plunder the town of Ostia itself. All the coasts of the empire were open to their depredations. Roman magistrates were made prisoners in passing to and from their provinces; and citizens of every denomination, when taken by them, were forced to pay ransom, kept in captivity, or put to death. The supply of provisions to Italy was intercepted, or rendered precarious and difficult, and the price in proportion enhanced. Every report on these subjects was exaggerated by the intrigues of Pompey, who perceived, in this occasion of public distress, the object of a new and extraordinary commission to himself.

Frequent complaints having been made, and frequent deliberations held on this subject in the Senate, Gabinius, one of the Tribunes, at last proposed, that some officer of consular rank should be vested, during three years, with absolute powers, in order to put an effectual stop to these outrages, and

to eradicate the cause of them, so as to secure for the future the inhabitants of the coast, as well as to protect the navigation of the seas. As Gabinius was known to be in concert with Pompey, the design of the proposition was manifest; and it was received in the Senate with a general aversion. "For "this," it was said, "has Pompey declined the or- "dinary turn of consular duty upon the expiration "of his office, that he might lie in wait for extraor- "dinary and illegal appointments." Gabinius being threatened with violence if he should persist in his motion, thought proper to withdraw from the assembly.

A report was immediately spread in the city, that the person of the Tribune Gabinius had been actually violated; multitudes assembled at the doors of the Senate-house, and great disorders were likely to follow: it was judged prudent for the Senate to adjourn; and the members, dreading some insult from the populace, retired by separate ways to their own houses. Gabinius, without farther regard to the dissent of the Senate, prepared to carry his motion to the People; but the other nine Tribunes were inclined to oppose him. Trebellius and Roscius, in particular, were engaged to put a stop by their negative to any further proceedings on that business. Pompey, in the mean time, with a dissimulation which constituted part of his character, affected to disapprove the motion of Gabinius, and to decline the commission with which it was proposed to invest him. He had recourse to this affectation, not merely as the fittest means on the present occasion to disarm the envy of the Nobles, and to confirm the Peo-

ple in their choice; but still more as a manner of proceeding which suited his own disposition, being no less desirous to appear forced and courted into high situations, than solicited to gain and to hold them. He thus provoked the citizens of his own rank, no less by the shallow arts which he practised to impose on the public, than by the state which he assumed. He could scarcely expect to find a support in the order of Nobles, and least of all among those who were likely to become the personal rivals of his fortune in the commonwealth: and yet it is mentioned, that Julius Cæsar, now about two-and-thirty years of age, and old enough to distinguish his natural antagonists in the career of ambition, took part with the creatures of Pompey on this occasion. He was disposed to court the popular faction, and to oppose the aristocracy; either of which principles may explain his conduct in this instance. He had himself already incurred the displeasure of the Senate, but more as a libertine than as a disturber of the State, in which he had not hitherto taken any material part. In common with the youth of his time, he disliked the Senators, on account of the remaining austerity of their manners, no less than the inferior people disliked them on account of their aristocratical claims to authority and power. But whatever we may suppose to have been his motives, Cæsar, even before he seemed to have formed any ambitious designs of his own, was ever ready to abet those of any desperate adventurer who counteracted the Senate, or set the orders of government at nought; and seemed to be actuated by a species of instinct, which set him at variance with every form

of a civil or political nature, if it checked the licence of faction, or bore hard on disorderly citizens of any sort *.

On the day in which the question respecting the motion of Gabinius was to be put to the People, Pompey appeared in the Comitium; and, if we may judge from the speech which is ascribed to him, employed a dissimulation and artifice somewhat too gross even for the audience to which it was addressed. He took occasion to thank the People for the honours he had received; but complained, that, having already toiled so much in the public service, he still should be destined for new labours. "You "have forgotten," he said, "the dangers I encoun- "tered, and the fatigues I underwent, while yet "almost a boy, in the war with Cinna, in the wars "in Sicily and in Africa, and what I suffered in "Spain, before I was honoured with any magis- "tracy, or was of age to have a place in the Senate. "But I mean not to accuse you of ingratitude; on "the contrary, I have been fully repaid. Your no- "mination of me to conduct the war with Sertorius, "when every one else declined the danger, I consider "as a favour; and the extraordinary triumph you "bestowed in consequence of it, as a very great ho- "nour. But I must entreat you to consider, that "continued application and labour exhaust the "powers of the mind as well as those of the body. "Trust not to my time of life alone, nor imagine "that I am still a young man, merely because my "number of years is short of what others have at-

* Zonaras, Ar. lib. x, c. 3.

" tained. Reckon my services and the dangers to " which I have been exposed; they will exceed the " number of my years, and satisfy you, that I can- " not much longer endure the labours and cares " which are now proposed for me. But if this be " not granted me, I must beg of you to consider " what loads of envy such appointments are likely " to draw upon me, from men, whose displeasure, I " know, you neither do, nor ought to regard, al- " though to me their envy might be fatal: and I " confess, that, of all the difficulties and dangers of " war, I fear nothing so much as this. To live with " envious persons; to be called to account for mis- " carriage, if one fails in the public service; and " to be envied, if one succeeds; who would choose " to be employed on such conditions? For these, " and many other reasons, I pray you to leave me " at rest; leave me to the care of my family, and " of my private affairs. As for the present service, " I pray you to choose, among those who desire the " employment, some person more proper; among " so many you cannot surely be at a loss. I am " not the only person that loves you, or that has " experience in military affairs. There are many, " whose names, to avoid the imputation of flattery, " I will not mention."

To this speech Gabinius replied; and, affecting to believe the sincerity of Pompey's declarations, observed, that it was agreeable to the character of this great man, neither to desire command, nor rashly to accept of what was pressed upon him. " They who " are best able to surmount difficulties," he said,

" are likewise least inclined to engage in them. But " it is your business, fellow-citizens, to consider, not " what is agreeable to Pompey, but what is neces- " sary to your own affairs; not to accept of those " who court you for offices, but of those who are fit " to discharge the duties of them. I wish we had " many persons of this description, besides the man " I have proposed to your choice. Did we not all " wish for such persons likewise, when we searched " among the young and the old for some one to be " opposed to Sertorius, and found none but himself? " But wishes cannot avail us; we must take men as " they are; we cannot create them. If there be but " one man formed for our purpose, with knowledge, " experience and good fortune, we must lay hold of " him, and seize him, if necessary, even by force. " Compulsion here is expedient and honourable for " both parties; for those who employ it, because it " is to find them a person who can conduct their af- " fairs; for him who suffers it, because he is to have " an opportunity of serving his country, an object " for which no good citizen will refuse to expose his " person, or to sacrifice his life.

" Do you think that Pompey, while yet a boy, " was fit to command armies, to protect your allies, " to reduce your enemies, to extend your empire; " but that now in the prime of life, ripe in wisdom " and experience, he can serve you no longer? You " employed the boy; you suffer the man to be idle. " When a private citizen of Equestrian rank, he was " fit for war and affairs of State; now he is a Se- " nator, forsooth, he is fit for nothing! Before you

" had any trial of him, you made choice of him for " the most important trust; now that you have ex- " perience of his ability, of his conduct, and of his " success, you hesitate. Is the present occasion less " pressing than the former? Is the antagonist of Ser- " torius not fit to contend with pirates? But such " absurdities cannot be received by the Roman Peo- " ple. As for you Pompey, submit to the will of " your fellow-citizens. For this you was born, for " this you was educated. I call upon you as the " property of your country; I call upon you as " its safeguard and its defence. I call upon you to " lay down your life, if necessary. This I know, if " your country require it, you will not, you cannot " refuse.

" But it is ridiculous to accost you in this man- " ner; you who have proved your courage and your " love to your country in so many and such arduous " trials. Be ruled by this great assembly. Despise " the envy of a few, or study the more to deserve " the general favour. Let the envious pine when " they hear of your actions, it is what they deserve. " Let us be delivered from the evils by which we " are surrounded, while you proceed to end your life " as you began it, with success and with glory."

When Gabinius had finished his speech, Trebellius, another of the Tribunes, attempted to reply; but such a clamour was immediately raised by the multitude that he could not be heard. He then, by the authority of his office, forbad the question; and Gabinius instantly proposed to have the sense of the Tribes, Whether Trebellius had not forfeited the

character of Tribune? Seventeen Tribes were of this opinion, and the eighteenth would have made the majority, when Trebellius thought proper to withdraw his negative. Roscius, another of the Tribunes, intimated by signs (for he could not be heard) that a second should be joined with Pompey in this commission. But the clamour was renewed, and the meeting likely to end in riot and violence. Then all opposition to the motion was dropped. And, in this state of the business, Gabinius, trusting that, in the present humour of the People, no man would dare to oppose the measure, or wishing to increase the honour of Pompey's nomination, by the seeming concurrence of some of the more respectable citizens, called upon Catulus, who was then first on the roll of the Senate, to deliver his opinion, and led him up into the rostra for this purpose.

This citizen, by the equability of his conduct, and by his moderation, though in support of the aristocracy, had great authority even with the opposite party. He began his speech to the People with professions of public zeal, which obliged him to deliver with plainness what he thought was conducive to their good, and which entitled him to a deliberate hearing before they should pronounce on the merits of what he was about to deliver. "If you listen," he said, "something may still be offered to inform "your judgment; if you break forth again into dis- "orders and tumults, your capacity and good un- "derstanding will avail you nothing. I must begin "with declaring my opinion, that powers so great, "and for so long a time as are now proposed for

" Pompey, should not be committed to any single " citizen whatever.

" The precedent is contrary to law, and in itself " in the highest degree dangerous to the State. " Whence came the usurpations of Marius, but from " the habit of continual command; from his being " put at the head of every army, intrusted with every " war, and no less than six times re-elected Consul " in the space of a few years? What inflamed to such " a degree the arrogant spirit of Sylla, but the con- " tinual command of armies, and the exorbitant " power of Dictator? Such is human nature, that in " age, as well as in youth, we are debauched with " power; and if inured for any time to act as supe- " riors, we cannot submit afterwards to the equal " and moderate station of citizens.

" I speak not with any particular reference to " Pompey; I speak what the law requires, and what " I am sure is for your good. If high office and " public trust be an honour, every one who has pre- " tensions should enjoy them in his turn; if they be " a load or a burden, every one ought to bear his " part. These are the laws of justice and of repub- " lican government. By observing them, republics " have an advantage over most other states. By " employing many men in their turns, they educate " and train many citizens for every department, and " have numbers amongst whom they may choose " the fittest to serve on every particular emergence. " But if we suffer one or a few to engross every of- " fice or service of moment, the list of those who " are qualified for any such trust will decrease in

" proportion. If we always recur to the same per-
" son in every trying occasion, we shall soon have
" no other person to employ. Why were we so
" much at a loss for experienced commanders, when
" Sertorius appeared to threaten Italy with an inva-
" sion? Because command, for a considerable time
" before that period, had been engrossed by a few,
" and those few alone had any experience. Although,
" therefore, I have the highest opinion of Pompey's
" abilities and qualification for this service, I must
" prefer to his pretensions the public utility and the
" express declaration of the laws.

" You annually elect Consuls and Prætors: to what
" purpose? to serve the State? or to carry for a few
" months the ensigns of power? If to serve the
" State, why name private persons with unprece-
" dented commissions, to perform what your magis-
" trates are either fit to perform, or are not fit to
" have been elected?

" If there be any uncommon emergency that re-
" quires more than the ordinary exertions of govern-
" ment, the constitution has provided an expedient.
" You may name a Dictator. The power of this
" officer has no bounds, but in respect to the place
" in which it is to be exercised, and to the time du-
" ring which it is to last. It is to be exercised with-
" in the limits of Italy, where alone the vitals of the
" State can be exposed to any great or pressing at-
" tack; it is limited to six months, a sufficient pe-
" riod in which to remove the cause of any sudden
" alarm. But this unlimited power, which is now
" proposed for so long a time, and over the whole

" empire, must end in calamities, such as
" other nations have suffered from the ambi
" usurpation of arbitrary and presumptuous
" If you bestow unlimited power by sea
" land on a single man, in what manner is he
" ercise his power? Not by himself in person,
" he cannot be every where present; he must have
" lieutenants or substitutes who act under his orders.
" He cannot even attend to what is passing at once
" in Egypt and in Spain, in Africa, in Syria, and in
" Greece. If so, then why may not those who are
" to act be officers named by you, and not by any
" intermediate person; accountable to you, and not
" to another; and in the dangers they run, anima-
" ted with the prospect of honour to themselves, not
" to a person who is unnecessarily interposed between
" them and their country? Gabinius proposes to in-
" vest this officer with authority to name many lieu-
" tenants; I pray you to consider, whether these of-
" ficers should depend upon any intermediate per-
" son, or upon yourselves alone? and whether there
" be sufficient cause to suspend all the legal powers,
" and to supersede all the magistrates in the com-
" monwealth, and all the governors of provinces in
" every part of your empire, in order to make war
" on pirates?"

So much of what Catulus is supposed to have delivered on this occasion is preserved among the Fragments of Dion. Cassius *. It is mentioned by others, that the audience expressed their good-will

* For these speeches see Fragments of Dio. Cassius, lib. xxxvi.

and respect for this Senator in a compliment which they paid to him, probably near the close of his speech, when urging some of his former arguments, he asked, "If this man, to whom alone, by thus employing him in every service, you give an opportunity of acquiring the skill and habits of a statesman or soldier, should fall, to whom will you next have recourse?" The People answered, with a general acclamation, *To yourself* *. They revered, for a moment, the candour and ability of this eminent citizen, but could not withstand the arts of Pompey, and the tide of popularity which then ran so high in his favour.

This day being far spent in debate, another day was appointed in which to collect the votes, when a decree passed to vest Pompey with the supreme command over all the fleets and armies of the republic, in every sea without distinction or limit, and on every coast within four hundred stadia, or fifty miles of the shore. This commission took place in Italy, and extended throughout every province, during three years from the time of the act being passed.

As Pompey owed these extraordinary powers to the Tribune Gabinius, he intended to have employed him next in command to himself; but the law which excluded the Tribunes from succeeding to any public employment in the first year after the expiration of their office, stood in the way of this choice; and Pompey did not persist in it.

* Cicero pro Lege Manilia.

Upon the publication of an edict investing [illegible] ficer of so much renown with such mighty [illegible] for restoring the navigation of the seas, [illegible] every other article of importation at Rome [illegible] ably fell in their price. The friends of Pompey already triumphed in the success of their [illegible] and he himself soon after, notwithstanding the meanness of the enemy opposed to him, gained much credit, by the rapid, decisive and effectual measures he took to obtain the end of his appointment. Although it was the middle of winter, a season too rough, even in the Mediterranean, for such shipping as was then in use, he gave orders to arm and put to sea as many vessels as could be collected or fitted out in every maritime station. In a little time he had returns of two hundred and seventy galleys fit for service, one hundred and twenty thousand foot, and four thousand horse embodied within the limits to which his commission extended. That the pirates might be every where attacked at once, and find no refuge by changing their usual places of retreat, he divided the coasts of the empire into separate districts, appointed lieutenants with full powers in each, assigned their stations, and allotted their quotas of shipping and troops. He himself, with a squadron of sixty ships, proposed to inspect the whole, or to give his presence where it should be required. He began with visiting the ports of Spain and Gaul, and the seas of Sardinia and Corsica; and in passing from thence, he himself went on shore, and travelled by land, while his squadron, coasting round the peninsula of Italy, had orders to join him

at Brundisium. In this journey, upon his approach to Rome, he enjoyed, in all respects, the state of a great monarch, was received with acclamations by the People, and was courted by multitudes of every condition who went forth to receive him. All his complaints and representations were received as commands. The Consul Piso, being supposed not to forward his levies with sufficient alacrity, would have been degraded, if Pompey himself had not interposed to prevent a motion which the Tribune Gabinius intended to make for this purpose.

The fleet being arrived at Brundisium, Pompey hastened to re-embark, and from thence passed by the stations of his several lieutenants in the seaports of Macedonia and Greece, to those of Pamphylia and Cilicia, which were the principal resort of the pirates. Such of these banditti as he captured in his way were treated with mildness; and this circumstance, together with the great preparations which were reported from every quarter to be making against them, with the small hopes they had of being able to escape, induced them, in great numbers, to surrender themselves. In the bay of Cilicia he found a squadron of their ships assembled, and ready to cover the harbours at which they had been accustomed to collect their naval stores, and to lodge their booty. They separated, however, upon his appearance, took refuge in different creeks of that mountainous shore, and afterwards surrendered at discretion, delivering up all the forts they had erected, with all their stores of timber, cordage,

and sails, of which they had made a considerable provision.

By these means the war was finished about the middle of summer, six months after the nomination of Pompey to this command. In that time seventy-two galleys were sunk, three hundred and six were taken, and a hundred and twenty piratical harbours or strongholds on shore were destroyed. Ten thousand of the pirates were killed in action, and twenty thousand, who had surrendered themselves, remained prisoners at the end of the war. These Pompey, having sufficiently deprived of the means of returning to their former way of life, transplanted to different parts of the continent, where the late or present troubles, by thinning the inhabitants, had made room for their settlement. Upon this occasion he repeopled the city of Soli in Cilicia, which had been lately laid waste, and forcibly emptied of its inhabitants by Tigranes, to replenish his newly established capital of Tigranocerta in Armenia. After this re-establishment of Soli, the place, in honour of its restorer, came to be known by the name of Pompeiopolis *.

Whilst this successful commissioner was thus employed in disposing of the pirates on the coast of Cilicia, he received a message from Lappa in the island of Crete, then besieged by Metellus, intimating, that the people of this place, although they held out against Metellus, were willing to surrender to Pompey. This sort of preference implying estima-

* Dion. Cassius, lib. xxxvi, c. 20.

tion and popular regard, was one of the temptations which Pompey was supposed unable to resist; he accordingly, without consulting with Metellus, sent an officer to receive the surrender of Lappa.

Metellus had commanded about two years in Crete, had almost reduced the island, and had a near prospect of that triumph, which he afterwards, with the title of Creticus, actually obtained, on account of this conquest. Pompey's commission, as commander in chief of all the sea and land forces of Rome within fifty miles of the coast, no doubt extended to Lappa; but it was justly reckoned invidious to interfere in the province of a Proconsul, whose appointment preceded his own. And this step revived all the former imputations against him, that he considered himself as every one's superior, strove to suppress every growing fame, and threw his personal consideration as a bar in the way of every rising merit. Metellus, stung with resentment, and trusting to the support of the Senate, ventured to contemn his orders; even after Octavius, who had been sent by Pompey to take the inhabitants of Lappa under his protection, had entered the town, and in his name commanded Metellus to desist from the attack of a place already in possession of the Romans. He nevertheless continued the siege, forced the town to surrender, and threatening to treat Octavius himself as a rebel, obliged him to be gone from the island. The Senate, without otherwise deciding the controversy which was likely to arise on this subject, afterwards acknowledged Me-

tellus as the conqueror of Crete, and decreed him a triumph in that capacity *.

The dispute, however, at this time, might have led to disagreeable consequences, if Pompey, while he was preparing to pass into Crete against Metellus, had not found another object of more importance to his plan of greatness †. Lucullus had always appeared to him a rival in power and consideration more formidable than Metellus, and the war in Pontus and Armenia likely to furnish a more ample field of glory than the destruction of pirates.

Mithridates, though once nearly vanquished, was, by means of the distractions which, communicating from the popular factions at Rome, had infected the army of Lucullus, enabled to renew the war with fresh vigour. Knowing that the Roman general was no longer obeyed, he not only obtained possession, as has been mentioned, of his own kingdom, but, together with Tigranes, began to act on the offensive, and made excursions even into Cilicia. Acilius Glabrio, the Proconsul appointed to succeed in the command of the Roman army, hearing the bad state of affairs in Pontus, stopped short in Bithynia, and even refused to furnish Lucullus with the reinforcements he had brought from Italy. In these circumstances, the province of Asia, likely to become a principal source of revenue to the commonwealth, was in imminent danger of being wrested from their hands; and the friends of Pompey seized

* Liv. Epit. Plutarch. in Pompeio. Dion. Cass. lib. xxxv.
† Dion. Cass. lib. xxxvi, c. 28.

this opportunity to propose a farther enlargement of his powers. Manilius, one of the Tribunes, in concert with Gabinius, moved the people to extend his commission to the provinces of Phrygia, Bithynia, Cappadocia, and Pontus; and of course to commit the war in Armenia and Pontus to his direction. This motion was strenuously opposed by Catulus, Hortensius, and all the principal members of the Senate. It was supported by Marcus Tullius Cicero, and by Caius Julius Cæsar, who both intended, on this occasion, to court the popular party, by espousing the cause of a person so much in favour with the People.

Cicero was one of the first of the Romans who rested his consideration entirely on civil accomplishments, and who became great by the services he was qualified to render his friends in a civil capacity, without any pretensions to the merit of a soldier. The character of a pleader was become one of the most powerful recommendations to public notice, and one of the surest roads to consequence and civil preferment. Cicero, with a fine genius and great application, was supposed to excel all who had gone before him in this line of pursuit. His talents were powerful instruments in his own hands; they rendered him necessary to others, and procured him the courtship of every party in its turn. He was understood to favour the aristocracy, and was inclined to support the Senate, as the great bulwark of the State, against the licence of the populace, and the violence of factious leaders. But being now Prætor, with a near prospect of the Consulate, he sacrificed

much to his ambition in the pursuit of preferments, which were new in his family, and which the ancient nobility were disposed to envy. His speech, upon the motion of Manilius, was the first he had ever made in a political character: it is still extant, and does more honour to his talents as a pleader, than to his steadiness in support of the constitution and government of his country *. He turned aside, by artful evasions, the wise counsels of Hortensius and Catulus; and, under pretence of setting forth the merits of Pompey, and of stating precedents in his favour, dazzled his audience, by enumerating the irregular honours which they themselves had already conferred on this object of their favour.

With such able advocates, in a cause to which the People were already so well disposed, the interest of Pompey could not miscarry; and an addition was accordingly made to his former commission, by which he became in reality sovereign of the fairest part of the empire. Upon the arrival of this news in Cilicia, where he then was, he affected surprise and displeasure. "Are my enemies," he said, "never to give "me any respite from war and trouble?" He had talents, undoubtedly, sufficient to support him in the use of means less indirect; but a disposition to artifice, like every other ruling passion, will stifle the plainest suggestions of reason, and seems to have made him forget on the present occasion, that his own attendants at least had common penetration. They turned away from the farce which he acted

* Cicer. Orat. pro lege Manilia.

with shame and *disgust* *; and he himself made no delay in showing the avidity with which he received what he thus affected to dislike; laid aside all thoughts of other business; immediately dispatched his orders to all the provinces that were now subjected to his power; and, without passing his mandates through the hands of Lucullus, summoned Mithridates, then with an army of between thirty and forty thousand men on the frontier of Pontus, to surrender himself at discretion. This prince, being then in treaty with Phraates, who had lately succeeded his father Arsaces in the kingdom of Parthia, and being in expectation of a powerful support from that quarter, refused to listen to this imperious message: and being disappointed in his hopes of assistance from the Parthians, and finding that Phraates had joined in a league with his enemies, he endeavoured to pacify the Roman general; and finding that his advances for this purpose had no effect, he prepared for a vigorous resistance.

Pompey set out for Pontus, and in his way had an interview with Lucullus, who was then in Galatia. They accosted each other at first with laboured expressions of respect and of compliment on their respective services, but ended with disputes and sharp altercations. Pompey accused Lucullus of precipitation, in stating the kingdom of Pontus as a Roman province, while the king himself was alive and at liberty. Lucullus suspected that the late mutiny had been fomented by the emissaries of Pompey, to

* Plutarch. in Pompeio.

make way for his own succession to the command. He persisted in maintaining the propriety of the report which he had made to the Senate, in which he had represented the kingdom of Pontus as conquered, and in which he had desired that commissioners should be sent as usual to secure the possession; observed that no province could be kept, if the troops stationed to preserve it refused to obey their general; that if such disorders were made the engine of politics in the competition of candidates for office, the republic had worse consequences to fear than the loss of any distant province; that although the fugitive king had taken advantage of the factions at Rome and in the army, to put himself again at the head of some forces, he had not recovered any considerable portion of his kingdom, nor at the arrival of the commissioners of the Senate, been able to disturb them in settling the province; that there was then nothing left for a successor, but the invidious task of snatching at the glory which had been won by another.

From this conference Pompey entered on the command with many indications of animosity to Lucullus; he suspended the execution of his orders; changed the plan of his operations; remitted the punishments, and recalled the rewards he had decreed to particular persons, and in a manner which seemed to justify the suspicion of his having encouraged the late disorders, suffered them to pass with impunity; and treated with the usual confidence even the legions which had refused to obey the orders of their general. His own authority, in the outset, seemed

by the animosity of the army to their commander, and by their desire to contrast their conduct, and the success of the war under their leader, with that which had taken place under his predecessor. Finding himself, therefore, at the head of numerous and well-affected forces, both by sea and by land, he covered the coasts of the Ægean and Euxine Seas with his galleys, and, at the head of a great army, advanced in search of the enemy.

Mithridates, upon the approach of Pompey, continued retiring before him towards the Lesser Armenia, laid waste the country through which the Roman army was to pass, endeavouring to distress them by the want of provisions and forage.

For several days successively the armies encamped in sight of each other. Mithridates took his posts in such a manner, that he could not be safely attacked; and as his object was to pass the Euphrates without being forced to a battle, he generally decamped in the night, and by his superior knowledge of the country, passed through ways in which the Roman army could not hastily follow without manifest danger of surprise. Pompey, sensible that, upon this plan of operation, the king of Pontus must effect his retreat, took a resolution to pass him by a forced march, not in the night but in the heat of the day, when the troops of Asia were most inclined to repose. If he should succeed in this design, and get between their army and the Euphrates, he hoped to force them to a battle, or oblige them to change their route. Accordingly, on the day he had cho-

sen for this attempt, he doubled his march, passed the enemies camp at noon-day unobserved, and was actually posted on their route, when they began to decamp, as usual, on the following night. In the encounter which followed, having all the disadvantages of a surprise, and in the dark, against an army on its march, and little accustomed to order, he gained a decisive victory, in which he cut off or dispersed all the forces on which the king of Pontus had relied for the defence of his kingdom *.

Mithridates escaped with a few attendants; and, in this extremity, proposed to throw himself again into the arms of Tigranes; but was refused by this prince, who was himself then attacked by a rebellion of his own son. Upon this disappointment he fled to the northward, passing by the sources of the Euphrates to the kingdom of Colchis, and from thence, by the eastern coasts of the Euxine, to the Scythian Bosphorus, now the Straits of Cossa, in order to take refuge in the Chersonesus, or Crim Tartary, at Panticapæa, the capital of a kingdom which he himself had acquired, and which he had bestowed on Machares, one of his sons. Upon his presenting himself at this place, he found that Machares had long since abandoned his father's fortunes; and, upon hearing of the ill state of his affairs on his first flight from Lucullus into Armenia, had sent, as an offering of peace, a golden crown to that general, and sued for the protection of the Romans. The father, highly provoked with this act of pusillanimity or trea-

* Dio. Cass. lib. xxxvi, c. 32.

bled a force among his Scythian allies, all offers of submission or entreaties of son, dragged him from the throne, dered him to be put to death, or made so painful, that he thought proper to his own life.

nner Mithridates entered anew on the possession of a kingdom, in which he had not only a safe retreat, but likewise the means of executing new projects of war against his enemies. By the maxims of the Romans, which Pompey himself had urged in his late dispute with Lucullus, no kingdom was supposed to be conquered, till the king was either killed, taken, or forced to surrender; and the Roman general, by this flight of the king of Pontus, found himself under a necessity either of pursuing him into his present retreat, or of doing what he himself had blamed in his predecessor, by making his report of a conquest before it was fully accomplished. While he was deliberating on the measures to be taken in these circumstances, he was invited by the younger Tigranes, son to the king of Armenia, then in rebellion against his father, to enter with his army into that kingdom, and to give judgment on the differences subsisting between the father and the son.

In consequence of this invitation, Pompey marched into Armenia, joined the rebel prince, and, under pretence of supporting the son, was about to strip the father of his kingdom, when this monarch, as usual, with a meanness proportioned to the presumption with which he had enjoyed his prosperity,

now resolved to cast himself entirely upon the victor's mercy. For this purpose he desired to be admitted into Pompey's presence, and, with a few attendants, presented himself for this purpose. Being told, at the entrance of the camp, that no stranger could pass on horseback, he dismounted, and was conducted on foot to the general's presence. In entering the tent, he uncovered his head, and having the diadem in his hand, offered to lay it on the ground at Pompey's feet; but was told with great courtesy that he might resume it; that, by submitting himself to the generosity of the Romans, he had not lost a kingdom, but gained a faithful ally *. At the same time, under pretence of reimbursing the expence of the war, a sum of six thousand talents, or about one million one hundred and twenty-eight thousand pounds sterling was exacted from him; and he himself, to this great sum which was paid to the State, added a gratuity to the army, of a talent † to each of the Tribunes, ten minæ ‡ to each of the Centurions, and half a mina ‖ to each private man.

Pompey, in disposing of the two Armenias, which were now in his power, allotted Sophene or the Lesser Armenia, on the right of the Euphrates, to Tigranes the son, reserving Syria and Phœnicia, to which Antiochus, the last representative of the Macedonian line, had been restored by Lucullus, together with Cilicia and Galatia, to the disposal of the Romans.

---

* Dio. Cass. lib. xxxvi, c. 55. Plutarch. in Pompeio. † L. 93, 15 s.
‡ L. 32 : 5 : 10. ‖ L. 1 : 12 : 3½. Vid. Arbuthnot of ancient Coins.

Tigranes the father, with great submission, acquiesced in this partition; but the son, who probably expected to have been put in possession of the whole of his father's kingdom, was greatly discontented, and, while Pompey was yet in Armenia, entered into a correspondence with the king of Parthia, and solicited his assistance to overturn the settlement which was now made. On account of these practices, whether real or supposed, this undutiful son of Tigranes was taken into custody, carried into Italy, and made a part in the ornaments of the victor's triumph *.

The Roman general, having in this manner disposed of the kingdom of Armenia, or retained it still farther at the disposal of the Romans, by the confinement of the rebel prince, resumed the thoughts of pursuing Mithridates into his present retreat. For this purpose he left Afranius in Armenia, with a force sufficient to secure his rear, and to prevent any disturbance on this side of the Euphrates. He himself passed the Araxes, and wintered on the Cyrus, or the Cyrnus, on the confines of Albania and Iberia. In the following summer, having defeated the natives of those countries in repeated encounters, he advanced to the mouth of the Phasis, where he was joined by his fleet, then plying in the Euxine sea, under the command of Servilius. Here he appears to have deliberated, whether he should attempt to pursue Mithridates any farther; but upon considering the difficulties of the voyage, and of the march

* Plutarch. in Pompeio. ad p. 458.

along a coast and a country entirely unknown, unfurnished with any safe harbour for his ships, or even with any means of subsistence to his army by land, he took his resolution to return, and [illegible] himself, in the best manner he was able [illegible] nions which had been abandoned to h[illegible] of their king *. With this resolution [illegible] his march, by the coast, back into the kingdom of Pontus; and, finding no resistance, took all his measures as in a conquered province. At one place he found a considerable treasure, which was disclosed to him by Stratonicé, one of the concubines of the king, by whom she had a son named Xiphares. This woman made the discovery on condition that, if her son were taken by the Romans, his life should be spared. But this unhappy son was exposed to other dangers besides those now apprehended by the mother. Mithridates, upon hearing of the price which was paid for the life of Xiphares, ordered him to be slain. "That woman," he said, "should have like-"wise bargained with me in favour of her son." At other places the Roman army found the vestiges of great magnificence, joined to monuments of superstition and of cruelty. They found some productions of an art, in which the king was supposed to be master, relating to the composition of poisons, and of their antidotes, and some records of dreams, together with the interpretations †, which had been given by his women.

* Dio. Cass. lib. 37, c. 3. Plutarch. in Pompeio. Appian. in Mithridat.

† Plutarch. in Pomp. p. 462.

From Pontus, Pompey having made a proper disposition of the fleet in the Euxine, to defend the coast against attempts of invasion from Mithridates, whose forces were still formidable on the Bosphorus and the opposite shores, set out for the kingdom of Syria, which he now determined to seize in behalf of the Romans. Lucullus had already, agreeably to the policy of his country, or under pretence of setting the Syrians free, separated their kingdom from the other possessions of Tigranes: but the pretence upon which he acted in this matter being sufficient to prevent his seizing upon Syria as a Roman province, he was content, in the meantime, with restoring it to Antiochus, the last pretender of the Macedonian line, who had lived eighteen years in the greatest obscurity in Cilicia. But Pompey now proposed to complete the transaction, by seizing for the Romans themselves, what the other affected only to restore to the lawful owner*; and this owner now pleaded in vain against the sentence of Pompey that right of descent from the Macedonian line, which Lucullus had employed to supplant Tigranes †.

On the march into Syria, the Roman general, either in person or by his lieutenants, received the submission of all the principalities or districts in his way, and made the following arrangements. The Lesser Armenia, once intended for the younger Tigranes, he gave to Dejotarus, king of Galatia ‡, who

* Justin. lib. xl, c. 1, et 2. † Appian. in Mithridat. p. 244.
‡ Eutropius, lib. vi.

remained on the frontier of the empire a faithful dependent, and whose possessions served as a barrier against hostile invasions from that quarter. Paphlagonia was given to Attalus and Pylæmenus, who were liberal tributaries to the Roman officers, and vigilant guards on the frontiers of the empire. Upon his arrival at Damascus, he had many applications from the late subjects or dependents of the Syrian monarchy; among others, from Hyrcanus and Aristobulus, two brothers contending for the sovereignty of Judea, who now repaired to his tribunal for judgment, and requested the interposition of his power in behalf of the party he should be pleased to favour.

Of these rivals, who were the sons of Alexander, late high-priest of the Jews, Hyrcanus the elder had succeeded to his mother Alexandra, whom the father had left his immediate successor in the kingdom; but was dispossessed by his younger brother Aristobulus, who, being of a more active spirit, had formed a powerful faction against him among the people.

Hyrcanus took refuge among the Arabs, and prevailed upon Aretas, the chieftain of some powerful tribe of that people, to assist him in recovering the sovereignty of his country. In conjunction with this ally, Hyrcanus accordingly laid siege to Jerusalem, but was disappointed of his object by Scaurus, one of Pompey's lieutenants, who being then in Syria, interposed at the request of Aristobulus, from whom he received a present of three hundred talents *, and

* About L. 57,900.

obliged the Arabs to desist from their enterprise. Upon the arrival of Gabinius, whom Pompey had sent before him into Syria, Aristobulus thought proper to make him likewise a present of fifty talents, and by these means remained in possession of Jerusalem at the arrival of Pompey.

It is alleged that each of the contending parties made their presents also to the Proconsul himself; Hyrcanus in particular, that of a beautiful piece of plate, admired for its workmanship and weight, being the model of a spreading vine, with its leaves and fruit in massy gold *; and such presents merit attention, as they furnish some instances of the manner in which great riches, now in so much request at Rome, were amassed by Roman officers in the course of their services. Besides what they obtained in this manner, it is likely that every conquest they effected, every revolution they brought about, and every protection they granted, was extremely profitable.

Pompey, on hearing the merits of the question between the two brothers, notwithstanding what his lieutenants had done for Aristobulus, declared for Hyrcanus, and advanced towards the city of Jerusalem, to execute the decree he had passed. Upon his approach he was again met by Aristobulus, who made fresh offers of submission, and of a public contribution in money; and Gabinius was detached to take possession of the city, in terms of this submission. But upon a report that the friends of Ari-

* Joseph. Antiq. lib. xiv, c. 2.

stobulus, though himself still in the hands of Pompey, refused to admit the Roman detachment, this prince was put in arrest, and the whole army advanced to the walls.

The citizens being divided, those who espoused the cause of Hyrcanus prepared to open the gates of the city, while the others, who were attached to Aristobulus, retired into the temple, and broke down the bridge by which this edifice was joined to the streets, and made every other preparation in that retreat to defend themselves to the last extremity.

The Romans, upon the arrival of Pompey, being joined by the friends of Hyrcanus, took possession of all the principal stations within the walls, and prepared to attack the temple, into which their antagonists had retired. This building had all the advantages of a citadel or fortress, built on a height, surrounded with natural precipices, or with a deep ditch overhung with lofty battlements and towers. To reduce it, Pompey sent for battering engines to Tyre, and cut down all the woods in the neighbourhood to furnish materials for the works he was about to erect. All his attempts being, with great obstinacy, resisted by those who had taken refuge in the Temple; he observed, in the course of his operations, that the people within, although they at all times defended their own persons, when attacked, yet on the Sabbath-day they did no work, either in repairing any of their own defences, in obstructing or attempting to demolish what the besiegers were erecting. He accordingly took advantage of this circumstance, made no assaults on that day, but con-

tinued his labour in filling up the ditch, and erected such works as were required to cover his approach. In this manner his towers, without interruption, were raised to the level of the battlements, and his engines playing from thence, made great havock among the besieged. These devotees, however, animated with zeal in defence of their Temple, even under the discharge of the enemy's missiles, still continued at the altar to perform their usual rites; and took so little precaution against the dangers to which they were exposed, that numbers perished in offering up the sacrifices, and mingled their blood with that of the victims.

In the third month after the siege began, one of the towers of the Temple was brought in ruin to the ground; and Faustus, the son of Sylla, with two Centurions at the head of the divisions they commanded, entered the breach, and putting all whom they met to the sword, made way for more numerous parties to follow them, and covered the avenues and porches of the Temple with the slain. The priests, who were even then employed in the sacrifices, waited for the enemy with the utmost composure, and, without discontinuing their duties, were slain at the altars. Numbers of the people threw themselves from the precipices; and others, setting fire to the booths in which they had lodged under the walls of the Temple, were consumed in the flames. About twelve or thirteen thousand perished on this occasion, without any proportional loss to the besiegers, or to those who conducted the storm.

Pompey, being master of the Temple, and struck with the obstinate valour with which it had been defended, had much curiosity to visit the interior recess, for the sake of which he was told that so much blood had been shed, and all his efforts withstood with so much desperation. This place, into which no one was ever admitted, besides the high-priest, he supposed to contain the sacred emblems of that power who inspired his votaries with so ardent and so unconquerable a zeal. And he ventured, to the equal consternation and horror of his own party among the Jews, as of those who opposed him, to enter with his usual attendance into the Holy of Holies. He found it adorned with lamps, candlesticks, cups, vessels of incense, with their supports, all of solid gold, containing a mass of the richest perfumes, and a sacred treasure of two thousand talents *.

Having satisfied his curiosity, it is mentioned that he respected the religion of the place so much as to have left every part of this treasure untouched, and to have given directions that the Temple itself should be purified, in order to expiate the profanation of which he himself had been guilty. He restored Hyrcanus to the priesthood or sovereignty of Judea, but charged him with a considerable tribute to the Romans, and at the same time stripped the nation of all those possessions or dependencies in Palestine and Celesyria, which had been acquired or held in subjection by their ancestors. Such were

* About L. 386,000.

Gadara, Scythopolis, Hyppus, Pella, Samaria, Marissa, Azotus, Jamana, Arethusa, Gaza, Joppa, and Dora, with what was then called Strato's Tower, and afterwards Cæsarea. Under pretence of restoring these several places to their liberties, they were released from their subjection to the Jews, but in reality annexed to the Roman province of Syria *.

Pompey, now recollecting that he had formerly carried his arms to the shores of the Atlantic, and to the boundaries of Numidia and of Spain; that he had recently penetrated to the coasts of the Euxine, and to the neighbourhood of the Caspian Sea; in order that he might not leave any part of the known world unexplored by his arms, now formed a project to finish this round of exploits, by visiting the shores of the Asiatic or Eastern Ocean: a circumstance which was to complete the glory of his approaching triumph, and raise him, as his flatterers were pleased to observe, to a rank above every conqueror of the present or any preceding age †.

But while the Roman Proconsul was employed in the settlement of Syria, in the reduction of Jerusalem, and meditating these farther conquests, Mithridates was busy in making preparations to renew the war. Having heard of the extremities to which the citizens of Rome had been frequently reduced by invasions from Gaul and Africa, and by the insurrections of their own subjects and slaves, he concluded that they were weakest at home, or might be

* Joseph. de Bell. Jud. lib. i, et vii, et Ant. lib. xiv, c. 6.

† Plutarch. in Pomp. p. 463.

attacked with the greatest advantage in Italy. He again, therefore, resumed the project of marching an army of Scythians by the Danube and the Alps. He visited all the princes in his neighbourhood, made alliances with many, which he confirmed by giving to some of them his daughters in marriage, and persuaded them, by the hopes of a plentiful spoil, to join with him in the project of invading Europe. He even dispatched his agents into Gaul, to secure the co-operation of nations on that side of the world, and trusted that, on his appearance in Italy, many of the discontented inhabitants would become of his party, in the same manner as they had declared for Hannibal; and that the slaves so lately at open war with their masters would likewise be a plentiful supply of recruits to his army.

These projects, however, appeared to his own nation too hazardous and vast. They were suited to the state of a king who wished to perish with splendour, but not to that of subjects and followers who had humbler hopes, and who chose to be governed by more reasonable prospects of fortune. The king himself, while he meditated such extensive designs, being confined by an ulcer in his face, had been for a considerable time concealed from public view, and had not admitted any person to his presence besides some favourite eunuchs. The minds of his subjects, and of his own family in particular, were much alienated from him by the late acts of barbarous severity against Machares and Xiphares, two of his own children, who, with some others, as we have mentioned, had incurred his resentment.

Pharnaces, another son, still attended the father; and, though disposed to betray him, was much in his confidence. The people of Phanagoria, a town on the shore of the Bosphorus, opposite to the fortress at which the king now resided, together with the inhabitants of the country, pretending a variety of provocations, revolted, and the army, during his confinement, losing the usual awe of his person, mutinied, and acknowledged Pharnaces for king. They assembled round the fortress in which Mithridates was lodged, and which he had garrisoned with a chosen body of men. When he appeared on the battlements, and desired to know their demands: "To "exchange you," they said, "for Pharnaces; an old "king for a young one." Even while he received this answer, and while many of his guards deserted him, he still hoped that, if he were at liberty, he might retrieve his affairs. He desired, therefore, by repeated messages, to know whether he might have leave to depart in safety? But none of the messengers he sent with this question being suffered to return, he apprehended that there was a design to deliver him up into the hands of the Romans. Under this apprehension he had recourse to his last resort, a dose of poison, which, it is said, he always carried for use in the scabbard of his sword. Being to apply this sovereign remedy for all his evils, he dismissed, with expressions of kindness and gratitude, such of his attendants as still continued faithful to him; and being left with two of his daughters, who earnestly desired to die with their father, he allowed them to share in the draught he had prepared

and saw them expire. But the portion which remained for himself not being likely to overcome the vigour of his constitution, or, as was believed in those credulous times, being too powerfully counteracted by the effect of so many antidotes as he had taken against poison, he ordered a faithful slave who attended him, to perform with his sword what was in those times accounted the highest proof, as it was the last act, of fidelity in a servant to his master.

Accounts of this event were brought to Pompey, while his army was encamped at the distance of some days' march from the capital of Judea, in his way to Arabia. The messengers appeared carrying wreaths of laurel on the points of their spears; and the army, crowding around their general to learn the tidings, were informed of the death of Mithridates. This they received with acclamations, and immediately proceeded to make all the ordinary demonstrations of joy. Pompey himself, having now accomplished the principal object of the war, dropped his design on Arabia, and directed the march of his army towards Pontus. Here he received the submission of Pharnaces, and, with many other gifts, was presented with the embalmed corpse of the king. The whole army crowded to see it, examined the features and the scars, testifying, by these last effects of their curiosity, the respect which they entertained for this extraordinary man. He had, with short intervals, occupied the arms of the Romans during forty years; and, though he could not bring the natives of Asia to match the legions of Rome, yet he frequently, by

the superiority of his own genius, being firm in distress, rose from misfortune with new and unexpected resources. He was tall, and of a vigorous constitution, addicted to women, and, though superior to every other sort of seduction, to this his ardent and impetuous spirit made him a frequent, and an easy prey. He appears to have loved and trusted many of that sex with a boundless passion. By some of them he was followed in the field; others he distributed in his different palaces; had many children, and although, even towards his own sons, as well as towards every one else, on occasions which alarmed the jealousy of his crown, he was sanguinary and inexorable, yet in general he appears to have entertained more parental affection than commonly attends the polygamy of Asiatic princes.

Pompey proceeded to settle the remainder of his conquests; and, besides the arrangements already mentioned, annexed the kingdom of Pontus to the province of Bithynia, gave the Bosphorus to Pharnaces, and put the province of Syria, extending to the frontier of Egypt, under the government of Scaurus. He had now, from the time of his appointment to succeed Lucullus, for about three years, had the sole direction of the affairs of the Romans in Asia *; and had exchanged with the king of Parthia provoking messages, which, in a different conjuncture, might have led to immediate hostilities. But the circumstances were not yet ripe for such a measure, and Pompey had provided sufficient mate-

* Dion. Cass. lib. xxxvii, c. 6.

rials for a triumph, without attempting to break through those boundaries on which so many Roman generals were doomed to disappointment, and on which the progress of the empire itself was destined to stop.

Without entertaining any farther projects for the present, he set out with two legions on the route of Cilicia towards Europe, having Tigranes, son to the king of Armenia, together with Aristobulus, late usurper of the Jewish throne, with his family, two sons and two daughters, as captives to adorn his triumph *.

* Joseph. de Bell. Jud. lib. i, c. 7.

CHAP. XVII.

Growing corruption of the Roman officers of state.—The love of consideration changed for avarice, rapacity, and prodigality.—Laws against extortion.—Cataline, a candidate for the consulship.—Conspiracy with Autronius.—Competition, for the consulate.—Election of Cicero and Antonius.—Condition of the times.—Agrarian law of Rullus.—Trial of Rabirius.—Cabals of the Tribunes.—Of Cataline.—His flight from the city.—Discovery of his accomplices.—Their execution.

ABOUT the time that Pompey obtained his commission to command with so extensive a power in the suppression of the pirates, the tide began to run high against the aristocratical party at Rome. The populace, led by some of the Tribunes, were ever ready to insult the authority of the Senate; and the vices of particular men gave frequent advantages against the whole order of nobles. Corruption and dangerous faction prevailed at elections, and the preferments of State were generally coveted, as steps to the government of provinces, where fortunes were amassed by every species of abuse, oppression, and violence. Envy and indignation together concurred in rousing the People against these abuses. Cornelius, one of the Tribunes, proposed a severe law against bribery, by which persons convict-

U. C. 686. C. Calpurnius Piso, M. Aul. Glabrio.

Lex Cornelia de ambitu.

ed of this crime should be disqualified for any office whatever in the commonwealth. The Senate wished to soften the rigour of this law, by changing the penalty to a pecuniary fine; and the Consul Calpurnius Piso, moved for an edict to this effect, in order to anticipate and to preclude the new law of Cornelius. But the Tribune prevailed, and obtained an act imposing the severer penalty. Likewise, by another decree of the People, attacked the discretionary jurisdiction of the Prætors *, obliged them to be more explicit in the edicts they published, and to observe them more exactly.

The crime of extortion in the provinces, however, was the great disgrace of the Romans. To have found an effectual remedy for this evil, would have done more honour to the People than they had derived from all their conquests. Severe laws were accordingly enacted, complaints were willingly received, and prosecutions encouraged. Candidates for popularity and public favour, generally began with endeavouring to bring some offender under this title to public justice; but the example of this State, after all, has left only this piece of instruction to mankind, That just government over conquered provinces is scarcely to be hoped for, and least of all where republics are the conquerors.

Manilius, one of the Tribunes of the People, in order to strengthen the inferior class of his constituents, had obtained by surprise an act †,

* Dio. Cass. lib. xxxvi, c. 23. † Ibid. lib.

[redacted] zens of slavish extraction were to be promiscuously enrolled in all the Tribes. This act, having drawn upon him the resentment of the Senate, compelled him to seek for security under the protection of Gabinius and Pompey. With this view it was that he moved his famous act, in which Cicero concurred, to vest Pompey with the command in Asia. This motion had procured him a powerful support, and on some occasions raised the general voice of the People in his favour. Insomuch that soon after this transaction, being prosecuted for some offence at the tribunal of Cicero, who was then Prætor, and being refused the usual delays, the Prætor was obliged to explain this step in a speech to the People; in which he told them, that he actually meant to favour Manilius, and that, his own term in office being about to expire, he could not serve him more effectually, than by hastening his trial, and by not leaving him in the power of a successor, who might not be equally disposed to acquit him. Such were the loose and popular notions of justice then prevailing, and the sacrifices made to party at Rome *.

Lex Manilia.

At the election of Consuls for the following year, there occurred an opportunity to apply the law against bribery. Of four candidates, Publius Autronius Pætus, Publius Cornelius Sylla. L. Aurelius Cotta, and L. Manlius Torquatus, the majority had declared for the former two; but these being con-

* Plutarch. in vit. Cicer.

victed of bribery, were set aside, and the
tors declared duly elected.

About the same time L. Sergius Catali
been already branded as the murderer
brother, under pretence of Sylla's proscri
ving returned from Africa, where he ha
the quality of Prætor, and intending to sta
Consulate, was accused of extortion in the
and stopped in his canvass by a prosecution raised on this account. In his rage for this disappointment, he was ripe for any project of horror; and, being readily joined by Autronius and Piso, the late disappointed candidates, formed a conspiracy to assassinate their rivals *, to massacre the Senate, to seize the ensigns of power, and, with the aid of their faction, to lay hold of the government †. Marcus Crassus and Caius Cæsar are mentioned by Suetonius as accessory to this plot. Crassus was to have been named Dictator, and Cæsar his general of the horse ‡. Cæsar was to have made a signal for beginning the massacre, by uncovering his shoulders of his gown; but Crassus having wavered, absented himself from the Senate, and Cæsar, though present, having made no signal, the occasion passed without the projected attempt.

This is the conspiracy for which Publius Sylla came to be tried as an accomplice, and
ed by Cicero, in a pleading which is s
whether Crassus and Cæsar, being, a

* Cic. in P. Sylla & in Catal. i, c. 6. † Dion.
‡ Sueton. in Cæsar.

Suetonius, implicated in the first steps, afterwards broke off the connection, may be questioned. But it is certain, that the plot was carried on by the others to its full detection, in the manner which remains to be told. The times indeed were pregnant with the seeds of extreme evil; many of those who, from their outset and prospects, were destined to run the political course, overwhelmed with the effects of prodigality and immoderate expence in their suit to the People, incurred a ruin, which, if successful in their pretensions to office, was to be repaired by odious expedients abroad, or, if disappointed, led them to projects of desperation and rage at home *.

The State appears to have apprehended an increase of these evils from the number of foreigners, who, from every quarter, crowded to Rome as to the general resort of persons who wished to indulge their own extravagance, or to prey upon that of others. Under this apprehension, an edict was obtained, upon the motion of C. Papius, Tribune of the People, to oblige all strangers to leave the city: but it is likely that the State was in greater danger from natives than foreigners. Cataline, having prevailed upon Clodius, by the consideration of a sum of money, to drop the prosecution which had been commenced against him, was left to offer himself a candidate for the Consulate of the following year †.

Lex Papia de Peregrinis.

The office of Censor had been revived in the per-

* Plutarch. in vit. Ciceronis. † Cicero de Auruspicum Responsis.

sons of Catulus and Crassus; but these offi
that its authority, so powerful in former
now greatly reduced. They scarcely ve
give it a trial within the city; and, havin
about the enrolment of citizens residing b
Po, and about some other particulars, they
their power *. Censors were again name
following year, but with no greater effect;
the Tribunes, fearing to be themselves
from the Senate, put a negative on the usual function of these officers in revising the rolls †.

In the next Consulate, that of Lucius Julius Cæsar and C. Marcius Figulus, Caius Cæsar, accused by Suetonius, as above, of hidden designs, but of whom we are from this time scarcely ever to lose sight, being now thirty-five years of age, entered on his career of popularity and ambition. It is remarked, that in his present Edileship, together with Marcus Bibulus, not satisfied with the joint exhibition of public shews which were given to the People, at a common expence with his colleague, he gave separate entertainments on his own account. And destined, it should seem, to be a thorn in the side of those who were of public order, the gladiators he had ass
this occasion gave an alarm to the magist
he was ordered not to exceed a certain nu
his present office, or in that of Prætor, to
was afterwards in course advanced, it is
that he took some steps that were likely

U. C. 689. L. J. Cæsar, C. Mar. Figulus.

* Dion. lib. xxxvi, Plutarch. in Crasso. † Ibi

the animosity of the late parties of Marius and Sylla; and, notwithstanding the act of indemnity which had passed, raised prosecutions, on a charge of assassination, against all those who had put any citizen to death in execution of Sylla's proscription *. From this time Suetonius observes, that Cicero, though it may be thought premature, dated the beginning of his project to subvert the republic, and to make himself master of the State †.

What has most distinguished the present Consulate of Lucius Cæsar and Marcius Figulus, however, is the competition of candidates for the succession to that office on the following year, and the consequences of the election which followed. The candidates were, M. Tullius Cicero, C. Antonius, son of the late celebrated orator, L. Sergius Catalina, P. Sulpitius Galba, and L. Cassius Longinus, Quintus Cornificius, and Licinius Sacerdos.

Cicero was the first of his family who had ever resided, or enjoyed any honours, at Rome. He was a native of Arpinum, a country town of Italy, and was considered as an obscure person by those who were descended of ancient families, but had great consideration on account of his eloquence, and the consequences of it, to all such as had any interests at stake before the tribunals of justice. Being solicited by Cataline to undertake his defence on a trial for malversation in Sicily, he did not at

* Sueton. in vit. C. J. Cæsaris.

† Ibid. c. ix: Suetonius supposes, that Cicero alluded to the conspiracy of Autronius and Sylla, in which Crassus, as well as Cæsar, was said to be enga-

once reject the request, nor always deny [illegible] the factious Tribunes in support of their measures. He was undoubtedly, like other ambitious men at Rome, disposed to court every party, or to gain individuals *; and had of late, in particular, considerably strengthened his interest with the People, by having supported the pretensions of their favourite Pompey, in having joined the popular Tribunes in what they proposed in behalf of this aspiring citizen. He was, notwithstanding, probably by his aversion to appear for so bad a client as Cataline, saved from the reproach of having espoused his cause; and by his known inclination in general to support the authority of the Senate, he disposed the aristocratical party to forgive the occasional part which he took with the Tribunes in particular questions, not immediately supposed to affect their ascendant in the State.

In the course of this competition for the Consulship, Antonius and Cataline joined interests together, and spared no kind or degree of corruption. Cicero complained of their practices in the Senate, and moved to revive the law of Calpurnius against bribery, with an additional penalty of ten years' banishment †. Cataline considered this measure as levelled against himself; and incited by this provocation as well as by the animosity of a rival, was then supposed to have formed a design against Cicero's life, and to have expressed himself to this

* Ep. ad Atticum, lib. i, ep. 2.

† Dio. lib. xxxvii, c. 39.

in terms that gave a general alarm to the electors, and determined great numbers against himself. He had drawn to his interests many persons of infamous character and desperate fortune, many youths of good family, whom he debauched or encouraged in their profligacy. His language, at their meetings, was all indignation at the unequal and supposed unjust distribution of fortune and power. "Riches, "authority and honour," he said, "are engrossed "by a few, while others of more merit are kept in "poverty and obscurity, or oppressed with debts." He professed his intention, when in office, to remove these grievances, to cancel the debts of his friends, to enrich them by plentiful divisions of land, and to place them in the stations of honour to which they were entitled.

These declarations, being made to numerous companies assembled together, could not be concealed. Curius, one of the faction, boasted to Fulvia, a woman of rank, with whom he had a criminal intrigue, that a revolution must soon take place, and specified the particular hopes and designs of their party. This woman mentioned the subject to her own confidants, but concealed the author of her information. In the mean time, Cataline was considered as a person of the most dangerous designs, and was opposed in [illegible]ion by all who had any regard to public or- [illegible]to the safety of the commonwealth. Cicero, [illegible] same time, being supported by the Senate, [illegible]ected together with Caius Antonius. The lat- [illegible]ndeed stood candidate upon the same interest

with Cataline, and was preferred to him only by a small majority.

By this event the designs of Cataline were supposed to be frustrated; but the Consuls were not likely to enter on a quiet administration. The tribunitian power, since the time of its restoration, was gradually increasing its force, and extending its operations. Every person that could give any public disturbance, that could annoy the Senate, or mortify any of its leading members; every one that had views of ambition adverse to the laws, or who wished to take part in scenes of confusion and tumult; every person oppressed with debt, who wished to defraud his creditors; every person who, by his profligacy or crimes, was at variance with the tribunals of justice, was comprehended under the general denomination of the Popular Party. The Roman People had once been divided into Patrician and Plebeian, next into Noblemen and Commoners; but now individuals took their side with little regard to former distinctions against or for the perservation of public order. In the assembly of the Centuries, as well as in that of the Tribes, the disorderly and the profligate began to prevail; and as it was impossible that the collected body of the People could meet in any single assembly, the comitia, for the most part, was but an occasion for such riotous tumults, as were made by the persons who haunted the streets of Rome. The minds of sober men were full of fear and disquiet, alarmed with surmises of plots, and various combinations of desperate persons, who united their influence

U. C. 690. M. Tullius Cicero, C. Antonius.

not to carry elections or obtain preferments, but to overturn the government, or to share in its spoils *.

Lex Servilia Agraria.

One of the Tribunes of the present year, Servilius Rullus, soon after his admission into office, under pretence of providing settlements for many of the citizens, promulgated the heads of an Agrarian Law, which he carried to the Senate and the People. The subject of former grants was now in a great measure exhausted, and all Italy was inhabited by the citizens of Rome. This Tribune proposed a new expedient to provide for the indigent, not by conquest, but by purchase. It was proposed, that all estates, territories, or possessions of any sort, which belonged to the republic, should be sold; that all acquisitions of territory recently made, and the spoils taken from any enemy, should be disposed of in the same manner; that the money arising from such sales should be employed in purchasing arable and cultivable lands, to be assigned in lots to the necessitous citizens; and that, to carry this law into execution, ten commissioners should be named in the same manner in which the Pontiffs were named, not by the whole People, but by seventeen of the Tribes selected by lot: that these commissioners should be judges, without appeal, of what was or was not public property; of what was to be sold, of what was to be bought, and at what price; that they were to receive and to judge of the accounts of every Consul, or other officer, except Pompey, commanding in any province, where any capture had been

* Cicero de Lege Agraria.

made, or new territory acquired: and, in short, that they should, during five years, which was the limited term of their commission, be the sole masters of all property within the empire, whether public or private.

On the day that the new Consuls entered upon their office, when they returned in procession from the Capitol, and gave the first meeting to the People, Rullus had the presumption to propose this law, and to move the Conscript Fathers, that they would be pleased to give it the sanction of their approbation and authority in being carried to the People. Upon this occasion, Cicero made his first speech in the character of Consul. The former part of it is lost; the remainder may be reckoned among the highest specimens of his eloquence. In this and the two speeches he delivered to the People on the same subject, he endeavoured to demonstrate, (if we may venture to imitate the profusion of his own expressions), that, from the first clause of this law to the last, there was nothing thought of, nothing proposed, nothing done, but the erecting in ten persons, under the pretence of an Agrarian Law, an absolute sovereignty over the treasury, the revenue, the provinces, the empire, the neighbouring kingdoms and states; and, in short, over all the world as far as it was known to the Romans. He painted in such lively colours the abuses which might be committed by Rullus, and by his associates, in judging what was private and what public property, in making sales, in making purchases, in planting the colonies, and so exposed the impudence of the cheat, by which

was proposed to surprise the People into the granting of such powers, the absurdity and the ruinous tendency of the whole measure, that it was instantly rejected, and its author hissed from the assembly, and treated as an object of ridicule and scorn.

The splendour of the Consul's eloquence, on this occasion, appeared with great distinction, and the spirit of the times continued to furnish him with opportunities to display it *. Roscius Amerinus, having been Tribune of the People a few years before, had, by the authority of his office, set apart some benches in the theatre for the Equestrian order. This gave offence to the People, so that Roscius was commonly hissed when he appeared at any of the public assemblies. On some one of these occasions the Consul interposed; and, in a popular harangue, secured the attachment of the Knights to himself, and even reconciled the People to the distinction which had been made in favour of that body.

There happened under the same Consulate a business of greater difficulty, being a motion to restore the sons of the proscribed to the privilege of being chosen into the offices of State, of which they had been deprived by an ordinance of Sylla. Their fate was undoubtedly calamitous and severe. Many of them who had been too young to have incurred the guilt of their party, were now come of age, and found themselves stripped of their birth-right, and stigmati-

* It is probable that Cicero did not write in order to speak, but wrote after he had spoken, for the use of his friends. Epist. ad Atticum, lib. ii, c. 1.

zed with this mark of dishonour. It wa
their behalf, to take away this cruel ex
Cicero, apprehending that this propos
arm and to strengthen persons, who, fr
had contracted an habitual disaffectio
blished government at Rome, powerf
the motion, and succeeded in having it rejected *.

Though the orations on the two subjects last mentioned have perished, great part of that which he spoke on the trial of C. Rabirius still remains. This man, of a great age, a respectable Senator, after an interval of six-and-thirty years, was brought to trial as an accomplice in the death of Apuleius Saturninus, the factious Tribune, who, as has been related, having seized the Capitol, was, by the Consuls Marius and Valerius Flaccus acting under the authority of the Senate, and attended by all the most respectable citizens in arms, forced from his stronghold, and put to death as a public enemy.

Titus Atius Labienus, one of the Tribunes, was the declared prosecutor of C. Rabirius; but historians agree, that this Tribune acted at the instigation, and under the direction of C. Cæsar. The intention of the popular party was, by making an example of this respectable person in so strong a case, where the authority of the Senate, and the commands of the most popular Consul, where even the prescription of so old a date should have repelled every danger, effectually, for the future, to deter every person from

* Plin. lib. vii, c. 30.

acting in support of the Senate, or from lending any force or opposition to the designs of factious Tribunes, however turbulent or dangerous.

The Senate, and all the friends of established authority were greatly alarmed, and united in defence of Rabirius. The popular party, as already described, the ambitious, the profligate, the bankrupt, who were earnest to weaken the hands of government, and in haste to bring on scenes of confusion and trouble, took the opposite side.

The prosecutor laid his charge for treason of the most heinous nature, which must have led the convicted, though a freeman, to die on the cross, the ordinary manner of executing the sentence of death on slaves. "The executioner stalks in the forum," said Cicero, "and the cross is erected for a Roman citizen in the field of Mars." The accusation was first brought before the Prætor, who possessed the ordinary jurisdiction in such cases. And this magistrate empannelled two judges, who were to determine in this mighty cause. These were Caius Julius and Lucius Cæsar. At this court the defendant was condemned; and with appearances of animosity on the part of Caius Cæsar, that greatly increased the public alarm. This rising citizen had always courted the populace, and was strongly supported by them. That he should aim at honours and power, it was said, is common; but that he wished to provide impunity for the disturbers of the commonwealth, was dreadful. The crime of Rabirius, even if he could be convicted of it, had been committed the year before Cæsar was born. In the

person of the accused, every circumst
the supposition of a true charge, ple
passion, and even for respect: the fa
time, was denied, and a positive eviden
that another had received a reward fc
ninus: but the policy of the faction required this victim; and the sentence must have been executed, if the condemned had not fled, by appeal, to the judgment of the People, where indeed his cause might be reckoned more desperate than it had been before a select court. The parties attended this trial with great ardour. Hortensius conducted the appeal and defence. Cicero pleaded in behalf of justice and government; painted the age, the infirmities, the forlorn state of the defendant, who had survived his relations and his friends. He pointed out the danger to government and to order from this precedent, in terms that must have melted every heart, not callous from ambition, faction, or profligacy of manners: but in vain. Even in the assembly of the Centuries, the majority was hastening to affirm the sentence, when Q. Cæcilius Metellus Celer, then Prætor, and one of the Augurs, hastened to the Janiculum, and tore down the ensign which was planted there as a sign of peace. And a silly piece of superstition stopped the proceedings of those whom neither justice nor compassion, nor regard to government, could restrain. This form took its rise, as has been formerly mentioned *, in the first ages of Rome, when the enemy inhabiting villages in the

* See vol. i, c. ii.

neighbourhood were supposed at the gates, and the people convened in the field on one side of the city might be assailed on the other. When the Centuries were formed, therefore, in the field of Mars, a guard was always posted on the Janiculum, and an ensign displayed. If any enemy appeared, the ensign was taken down, the assembly dismissed, and the people took to their arms. This ceremony, like many other customs both of superstition and law, remained after the occasion had ceased; and it was held illegal or impious in the People to proceed in any affair without the ensign in view. By this means the trial of Rabirius was put off, and the prosecutors, despairing of being able to work up the people again into an equal degree of violence, dropt the prosecution. The cause still remained undecided, and the power of the Senate, to defend its own authority, continued in a state of suspense.

The Tribune Labienus laid aside thoughts of renewing this invidious prosecution, in order to pursue the object of some other more popular acts; one, in particular, to repeal the almost only remaining ordinance of Sylla; that which conferred on the College of Priests the power of filling up vacancies in their own order. The right of election was again taken from the College, and, according to the law of Domitius, given to seventeen of the tribes, who were to be drawn by lot. This change was intended to open the way of Caius Cæsar into that office; and he was accordingly promoted to it in the following year.

Others of the Tribunes likewise endeavou
distinguish themselves by acts of turbulence a
dition. Metellus Nepos endeavoured to repe
clause of the act against bribery and corru
which declared the party convicted to be d
fied for any of the offices of State. This Tribune,
though sufficiently disposed to disorderly courses,
had many connections among the most respectable
citizens, and was persuaded, in this instance, to drop
his design.

But of all the cabals into which the popular faction was distributed, none was more desperate, nor supposed more dangerous, than that of Cataline, the late disappointed candidate for the Consulship. His rival Cicero had intimation, before the elections, of a design formed by this desperate party against his own person, and still continued to observe their motions. For this purpose he entered into a correspondence with a woman of the name of Fulvia, already mentioned, and who had given the first hints of a dangerous conspiracy: by means of this woman, he procured the confidence of Curius, who gave him minute information of all the proceedings of the party.

In public, Cataline again professed himself a candidate for the office of Consul, in competition with Servius Sulpicius, P. Muræna, and J. Silanus. He boasted of support from Antonius; but Cicero, to divert his colleague from this dangerous connection, made him every concession. Having, in casting lots for the provinces of Gaul and Macedonia, drawn the latter, which was thought to be preferable, he yield-

ed it up to Antonius; and by this, and every other means in his power, persuaded him to rest on the secure possession of dignities and honours, lawfully obtained, in preference to expectations formed on the projects of a few desperate men.

In secret, Cataline encouraged his adherents by pretending to have many resources, and to be supported by numbers who were ready to take arms at his command. In a formal meeting of his party in October, a few days before the consular elections, he opened the whole of his design; and in the speech which he made on that occasion, is said to have used expressions to the following purport: "The distressed can rely for relief on those only who have a common cause with themselves. Whoever is at ease in his own fortune, will not regard the suffering of others. If you would know how I stand affected to the parties which now divide the republic, *rich creditors* and *needy debtors*, please to consider, what every one knows, that I have no safety but in the destruction of the one, and the relief of the other; that my interest is the same with your own, and that I have courage to attempt what may be necessary for our common relief and security."

From the strain of this passage, the description of a party to whom it was with propriety addressed, may be easily collected. Cicero, who had frequently taxed Cataline with dangerous designs, now determined to lay the whole of his intelligence before the public; and for this purpose deferred the consular elections, which were to have been held on the

eighteenth of October, to a future day, and assembled the Senate. Cataline having, with the other members, attended, and hearing the charge, did not pretend to deny or to palliate his words. "There "are," he said, "in this republic, two parties; one "weak both in its members and head; the other "strong in its members, but wanting a head: while "I have the honour of being supported by this par-"ty, it shall have a head." Upon these words, a general cry of indignation arose in the Senate; but no resolution was taken. Many, who were there present as members, were pleased to see the Senate itself insulted; and Cataline, as if in condition to brave all his enemies, was, in all his expressions, equally unguarded in the streets and in the Senate. To Cato, who, in the public Forum, some days before this meeting, had threatened to have him impeached: "Do," he said; "but if you light a flame in my "fortunes, I will extinguish it under the ruins of the "commonwealth *."

A prosecution was actually raised against him in the name of Lucius Paulus, a young man of distinction, for carrying arms against the public peace. On this occasion, however, he thought proper to soften his tone, and offered to submit to voluntary confinement, until his innocence should be made to appear. "No one," he said, "who knows my rank, my pre-"tensions, and the interest I have in the preserva-"tion of the commonwealth, will believe, that its "destruction is to be apprehended from me, and

* Cicero Orat. pro Muræna.

" that its safety is to come from a native of Arpi-
" num *." He offered to commit himself to the custody of Cicero, of Metellus, or of any other magistrate, till this injurious aspersion were removed. To this offer the Consul replied, That he who did not think himself safe within the same ramparts with Cataline, would not receive him into his house †.

By one effect of the unparalleled licence enjoyed by citizens of Rome, persons accused of the most heinous crimes were at large, during the dependence of their trial, and might either proceed in the execution of their designs, or withdraw from justice. Such was the effect of the laws of Valerius and Porcius, which secured against violence, or the power of the magistrate, the person of every citizen, however accused, until he were finally condemned by the People. In support of this privilege, which was salutary, when the abuse of power in the magistrate was more to be dreaded than the licence of crimes in the subject, the Romans persisted even after the depravity of manners was become too strong for the laws, and when exemption from every just restraint was fatally mistaken for liberty. The State had now been thrown, on many occasions, into the most violent convulsions, because there was not any regular method of resisting disorders, or of suppressing them on their first appearance.

Cataline, soon after the elections, at which, by the preference given to his competitors Muræna and Si-

* The town of which Cicero was a native.

† Cicero in Catalinam, i, c. 8.

lanus, he received a fresh disappointment in his hopes of the Consulship, sent Mallius, or Manlius, an experienced soldier, who had served with himself under Sylla, to prepare for an insurrection in the district of Etruria. This officer, in the end of October, under pretence of giving refuge to debtors from the oppression of their creditors, had actually assembled a considerable body of men*. Suspicions at the same time arose against Publius Sylla, who was making a large purchase of gladiators at Capua, and insurrections were apprehended on the side of Campania and Apulia. In this state of affairs, continual informations being brought of Cataline's designs, the Senate gave in charge to the Consuls to watch over the safety of the State; and these officers accordingly put chosen bodies of men under arms, and secured all the posts of consequence in the city. Metellus, the conqueror of Crete, who still remained without the walls in hopes of a triumph, was appointed to command on the side of Apulia. The Prætor Metellus Celer was sent into the Cisalpine Gaul, in order to secure the peace of that province †; and the Consul Antonius was destined to suppress the insurrection of Mallius at Fæsulæ ‡.

Cataline meanwhile remained in the city, and had frequent consultations for the arrangement and the execution of his plot. At a meeting of the party, held in the beginning of November, in the house of M. Porcius Lecca ||, a general massacre of the prin-

* Cicero in Catalinam, i, c. 3. † Ibid. c. 12. ‡ Now Florence.
|| Cicero pro Pub. Sylla, c. 16.

cipal Senators was projected. The conspirators severally chose their stations, and undertook their several parts. Two in particular, who were familiar in Cicero's house, undertook in the morning, under pretence of a visit, to surprise and assassinate the Consul. But he being the same night apprized of his danger by Fulvia, gave the proper orders, and the intended assassins, upon their appearance at his door, were refused admittance. He immediately after assembled the Senate in the temple of Jupiter. Cataline presented himself with his usual presumption; and Cicero, as appears from an oration which he then delivered, instead of laying the matter in form before the Senate, accosted Cataline in a vehement invective, urging him to be gone from the city, where all his steps were minutely observed, where his meaning was understood, and precautions taken against all his designs. "I told you," said the Consul, "that your emissary Mallius would be in arms "by the first of November; that you intended a "massacre of the Senators about the same time. I "now repeat the memorable words you made use of "when you were told, that many of the Senators "had withdrawn from the city. You should be sa-"tisfied, you said, with the blood of those who re-"mained. Were you not surrounded, hemmed in, "and beset on every side by the guards posted to "watch you? Did your intention to surprise Præ-"nesté, on the night of the first of November, es-"cape me? Did you not find precautions taken that "implied a knowledge of your design? There is no-"thing, in short, that you do, that you prepare, that

"you meditate, which is not heard, which is not "seen, which is not felt by me in every circum- "stance. What of last night? Were you not at the "house of Porcius Lecca? Deny it! I have evi- "dence. There are here present persons who were "of your company. But where are we? What man- "ner of government or republic is this? The ene- "mies and destroyers of the commonwealth make a "part in its highest councils! We know them, and "yet they are suffered to live! But, be gone. The "time of enduring you is past. The world is convin- "ced of your guilt. Stay only till there is not a "single person that can pretend to doubt of it; till "your own partisans must be silent, and till the cla- "mour, which they would willingly raise against eve- "ry necessary act of government, be suppressed."

This being the general tendency of the Consul's speech, fraught with such alarming matter, and urged with so much confidence, the audience was seized with terror, and numbers, who happened to be on the same bench with Cataline, withdrew from his side. He himself arose, and attempted to vindicate his character, but was silenced with a general cry of indignation; upon which he left the Senate; and, after concerting farther measures with those of his party, not thinking that a longer stay in the city could be of any use to his affairs, he withdrew in the night, leaving letters behind him to some of the Senators, in which he complained, that, by a combination of his enemies, he was driven into exile; and that, rather than be the occasion of any disturbance in the commonwealth, he was willing to retire.

While these letters were handed about in the city, he took his way, preceded by the ushers and ensigns of a Roman Proconsul, straight for the camp of Mallius, and entered into a state of open war. The features of this man's portrait are possibly exaggerated by the vehement pencils and lively colourings of Cicero and of Sallust. He is represented as able to endure hardships of any kind, and as fearless in any danger; as, from his youth, fond of discord, assassinations, and bloodshed; as stained with the blood of his own brother, whom he murdered to have his estate, and with the blood of his own child, whom he murdered, to remove the objection made to him by a woman who refused to marry him with the prospect of being a stepmother. He is represented as rapacious, prodigal, gloomy, impetuous, unquiet, dissembling, and perfidious; a description of which the horrors are probably amplified: but for which it cannot be doubted there was much foundation, as he far exceeded in profligacy and desperation all those who, either in this or the former age, were, by their ambition or their vices, hastening the ruin of the commonwealth.

Cicero always professed to have particular information of the progress of Cataline. This, according to Sallust, he owed to Fulvia, by whose means he obtained a correspondence with Curius; but he himself, in none of his orations, gives any intimation of the manner in which he obtained his intelligence. It is probable that Curius desired to be concealed, that he might not be exposed to the rage of the conspirators as an informer and a traitor. On

this account the Consul, although he was minutely apprized of particulars, was obliged to adopt the plan he had hitherto followed, to urge the conspirators themselves into open hostilities, and into a full declaration of their purpose. He had succeeded with respect to Cataline; but his accomplices were yet very numerous in the city, and were taking their measures to co-operate with those who were in arms abroad.

In this state of affairs, Fabius Sanga, a Roman citizen of distinction, came to the Consul, and informed him, that the ambassadors of the Allobroges, a people then inhabiting what is now called the territory of Geneva, and part of Savoy, whose patron he was, had made him privy to a very momentous affair; that, upon being disappointed in a suit, on which they had been employed to the Senate, they had been carried by P. Umbrenus to Publius Cornelius Lentulus the Prætor, who condoled with them on the subject of the wrong they had received, assured them of redress if they would merit the favour of those who were soon to have the ascendant at Rome; and proposed, that they should, immediately upon their return to their own country, prevail on their nation to be prepared with an army, to cooperate with their friends in Italy. Cicero immediately laid hold of this intelligence, as affording means to bring the plot to light in a proper manner, and with sufficient evidence to convict the conspirators. He desired Sanga to encourage this correspondence; to advise the ambassadors to require proper credentials to be shown to their countrymen; to procure

a list of the Roman citizens who, in case they should rise in rebellion against the Romans, were to become bound to protect them; and when they should be thus provided, and about to depart, he instructed Sanga to bring him intimation of their motions, that they might be secured, with their writings, and other evidence of the facts to be ascertained. Sanga, having instructed the ambassadors accordingly, gave notice of their motions to the Consul. In the evening before they were to depart, Cicero ordered the Prætors, L. Flaccus and C. Pontinus, to march by different ways, and in small parties, after it was dark, to place a sufficient armed force to intercept the ambassadors of the Allobroges. The parties were stationed on different sides of the river, at the bridge called Milvius, without knowing of each other, and without having any suspicion of the purpose for which they were posted, farther than arose from their having been told, that they were to seize any person who should attempt to pass in either direction. About three o'clock in the morning the ambassadors from the Roman side entered on the bridge with a numerous retinue; and being challenged, and commanded to stop by the party that was placed to intercept them, they endeavoured to force their way; and some blood was shed. But on the appearance of the Prætors, with their ensigns of office, the travellers ceased to resist. Their dispatches were secured. Volturcius, a Roman citizen, who was found in their company, was taken and searched. Letters were found upon him, in different hands, and under different seals, addressed to

Cataline. These, together with the prisoners, were immediately carried back to the city.

The Consul being apprized of the success which attended this part of his design, sent, before any alarm could be taken by the party, messages to Gabinius, Statilius, Cethegus, and Lentulus, desiring to see them at his own house. The three former came with the messenger; but Lentulus was newly gone to bed, and, by his delay, gave some cause to suspect that he was aware of his danger. He too, however, came before it was day; and the house of Cicero was presently crowded, not only with numbers of the Equestrian order that were in arms for the defence of his person, but likewise with many Senators whom he desired to be present. The ambassadors of the Allobroges, now prisoners, were likewise conducted thither, and the letters found in their possession were produced unopened. Cicero declared his intention to assemble the Senate without delay, in order to lay the whole matter before them. Many of the company were of opinion, that the letters should be first opened, in order to see, whether they contained any matter of so much moment, as to require assembling the Senate, at a time when so great an alarm was likely to be taken. Cicero, however, having no doubt of the contents of the letters, and of the importance of the matter, overruled those scruples, and the Senate was accordingly called. Meantime the Allobroges dropt some expressions which implied, that some arms were concealed in the house of Cethegus. This occasioned a search

being then made, and a considerable quantity of daggers and swords were accordingly found.

At the meeting of the Senate, Volturcius was first examined; he denied his knowledge of any treasonable designs, but appeared disconcerted; and, upon being reminded of the reward that had been offered for the discovery of any plot against the State, and of the danger to which he himself would be exposed in prevaricating, he confessed, that the letters seized in his custody were sent by the Prætor Lentulus and others; that he had besides a verbal message to Cataline, informing him, that the plan was now ready for execution; that the station of every person was assigned; that some were appointed to set fire to the city in different places, and some to massacre their enemies in the midst of the confusion that was likely to be occasioned by the fire; and desiring that Cataline, in order to support his friends, and to profit by the diversion they were to make in his favour within the walls, should issue a proclamation to arm the slaves, and that he himself should march directly to Rome.

The deputies of the Allobroges being next introduced, acknowledged, that they had been charged by Lentulus, Cethegus, Statilius, and Cassius, with assurances of support to the council of their nation, confirmed by oath, accompanied with directions to march, without delay, a body of horse into Italy, where they should be joined by a numerous infantry, and receive proper instructions in what manner they should farther proceed; that, to encourage them, Lentulus quoted a prophecy, found in the

collection of the Sibyls, by which he himself was pointed out as the third of the Cornelii * destined to arrive at the sovereignty of Rome: that the conspirators had differed about the time of executing their design. Lentulus was of opinion it should be deferred to the holidays in December; that Cethegus, notwithstanding, and the others, were impatient, and desired a nearer day.

The supposed conspirators were next called in their turns; and the letters, with the seals unbroken, were exhibited before them. Cethegus, being the first examined, persisted in denying his knowledge of any conspiracy; accounted for the arms which were found in his house, by saying, He was curious of workmanship of that nature, and always bought what he liked. He preserved his countenance undisturbed, till his own letter was produced, and then fell into great confusion, as the seal was immediately known to be his.

Lentulus next, with great confidence, denied the charge; affected not to know either Volturcius or the ambassadors: asked them upon what occasion they ever could pretend to have been admitted into his house? He, however, supposing that nothing in the contents of the letter that was now produced could convict him, acknowledged the seal. It was the head of his grandfather. But the letter being opened, was found to be unsigned, and in the following general terms: "The bearer will inform "you who I am. Fear nothing. Remember where

* The former two were Cinna and Sylla.

" you stand; and neglect nothing. Call in every " aid, even the meanest." While he persisted in his denial, some one asked him, If he had never quoted the Sibylline oracles to these Gauls? Confounded with this question, he forgot his disguise, and confessed.

Gabinius, too, was at last brought to own his guilt; and in this manner the conspiracy was fully laid open. Lucius Cæsar, the Consul of the former year, in the presence of Lentulus, who was married to his sister, gave his opinion, that this unhappy man should be immediately put to death. " This," he said " is no " unprecedented measure. My grandfather, Fulvius " Flaccus, taken in open rebellion as this man is, " was slain by order of the Consul Gabinius. His " son was taken into custody, and put to death in " prison." In the meantime, Lentulus was ordered to divest himself of the office of Prætor, and, together with his accomplices, was committed to close imprisonment. This Cornelius Lentulus was distinguished by the addition of Sura to his name. He had been Consul about eight years before, and was afterwards, for his debaucheries, struck off the rolls of the Senate. He had now again condescended to accept of the office of Prætor, in order to recover, in the capacity of a magistrate, his seat in the Senate.

A proclamation was issued to apprehend M. Cæparius, who had been sent to procure an insurrection in Apulia, together with P. Furius, Magius Chilo, and P. Umbrenus, who had first introduced the Gaulish ambassadors to Gabinius. The Senate voted

thanks to the Consul Cicero for his great vigilance, and for the consummate ability he had shewn in the discovery and suppression of this treasonable design; to the Prætors, for the faithful execution of the Consul's orders; and to Antonius, his colleague, for having detached himself from men with whom he was known to have been formerly connected. A public thanksgiving to the gods was likewise decreed in honour of the Consul, and in consideration of this deliverance of the city from fire, of the People from massacre, and of Italy from devastation and war.

An assembly of the People being called, Cicero gave this account of the proceedings of the Senate, in a speech which is still extant *, and early on the following day assembled that body again, to deliberate on the farther resolutions to be taken with respect to the prisoners. An agent had been busy in the night to raise some disturbance in favour of Lentulus; but the design of setting fire to the city gave so great an alarm, that not only such as were possessed of considerable property, but every inhabitant, whatever might be his effects, trembled for his own person, and for the safety of his house. The avenues to the Senate, the Capitol, the Forum, all the Temples in the neighbourhood, by break of day, were crowded with armed men. The Consul had summoned the Equestrian order in arms to support the government, and citizens of every rank came forth to have a part in what might be required for the safety of their families.

* In Cat. 3.

When the Senate was assembled, the members differed in their judgment. Junius Silanus, one of the Consuls-elect, being called up first in order, declared himself for a sentence of death. Tiberius Nero differed from him, and proposed perpetual imprisonment. The majority, however, joined Silanus, until Caius Cæsar spoke. This able advocate declared against the opinion of Silanus, not as too severe, but as contrary to law; and insisted on the danger of a precedent which might set the life of every citizen at the mercy of a vote in the Senate. Death, he said, was the common destination of all men; what no one could avoid, and what the wise frequently coveted. It was not, therefore, to be used as a punishment; and he was disposed, in this case, not to mitigate, but to increase, the severity of the sentence. He proposed, therefore, that the estates of the prisoners should be confiscated; that their persons should be committed for life to the keeping of the most secure and best affected corporations in Italy; and that it should be declared treason for any one hereafter to move the Senate or the People for any mitigation of their punishment.

Cæsar might be considered as appearing on the side of the popular faction, and as laying the ground upon which the proceedings of the Senate, and the conduct of any particular member, might be afterwards arraigned before the People. The terrors of the Porcian and Sempronian laws, when likely to be urged by so powerful an advocate, alarmed the greater part of the Senate. Silanus himself retracted his opinion. In this fluctuation, the Consul submitting

the question to the judgment of the Senate, for his own part declared his willingness to execute any decree they should form. He treated Cæsar with great respect, and with some art laid hold of the severe terms in which this popular citizen had spoken of the conspiracy, as a pledge of his future conduct, in case the proceedings of government, with respect to the matter now before them, should hereafter be questioned or brought under review. "The Senate," he observed, "had no cause to dread the "imputation of cruelty. It was mercy to prevent, "in the most effectual manner, a crime to be perpetrated in so much blood. If this crime were not "prevented, they were to see that city, the resort "of nations, and the light and ornament of empire, "perish at one blow. They were to see heaps of "her citizens unburied, and lying in their blood: "they were to see the fury of Cethegus let loose in "murder; to see Lentulus become a king, Cataline "commanding an army, and every where to hear "the cries of mothers, to see the flight of children, "and the rape of virgins.—If the father of a family," he continued, "should spare a slave who had shed "the blood of his children, who had murdered his "wife, and set fire to his dwelling, how should such "a father be considered—as cruel or void of affection?

"He desired them not to regard what was given "out, of their not being in condition to attempt any "thing vigorous against these men. He himself, as "first magistrate, had not neglected the necessary "precautions; and the general ardour with which

" all ranks of men concurred in the defence of their " families, their properties, and the seat of empire, " rendered every resolution they could take secure " of the utmost effect. The forum is full, all the " temples in its neighbourhood are full, all the " streets and avenues to this place of assembly are " full of citizens of every denomination, armed for " the defence of their country. But he requested " that the Senate would issue their orders before the " sun went down, and seemed to apprehend danger- " ous consequences, if these matters were left unde- " termined, and the city exposed to the accidents " of the following night. For himself, he professed " to have taken his resolution. Although he felt " the occasion full of personal danger, he would " execute the orders of the conscript fathers," he said; " but if he fell in the attempt, implored their " protection for his wife and his children *."

All this appears to have passed in debate before Cato spoke. This virtuous citizen, then about thirty-three years of age, had, in the former part of his life, taken a very different course from the youths of his own time, and, both by his temper and education, was averse to the libertine principles which had crept into the politics and the manners of the age. He spoke chiefly in answer to Caius Cæsar, who, he observed, seemed to mistake the question. " We " are not inquiring," he said, " what is the proper " punishment of a crime already committed, but " now we may defend the republic from an immi-

* Cicer. in Catalinam, orat. iv.

"nent danger with which it is threatened. It is "proposed to send the prisoners to safe keeping in "the country. Why into the country? Because per- "haps the faction of profligate citizens is more nu- "merous in Rome, and may rescue them. Is Rome "the only place to which profligate men may resort, "or are prisoners of state most secure where the "force of government is least? This proposal is "surely an idle one, if the author of it professes to "entertain any fear of these men. But if, in this ge- "neral alarm of all the city, he and such persons be "not afraid, so much the more cause have we to be "on our guard. We are beset with enemies, both "within and without the walls. While Cataline "with fire and sword is hastening to your gates, "you hesitate whether you will cut off or spare his "associates, who are taken with the torch in their "hands and the dagger at your breast! You must "strike those who are now in your power, if you "mean to intimidate those who are coming to sup- "port their designs. The remissness or the vigour "which you now show, will be felt in the camp of "Cataline, and will be attended with suitable ef- "fects. I am therefore of opinion, that we order "these men, agreeably to the practice which our "ancestors have followed in all cases of treason and "of open war against the commonwealth, to imme- "diate death."

Such is said to have been the speech of Cato, by which the Senate was determined in the very momentous resolution which was taken on the present occasion; and however little we may be inclined to

consider such compositions in many parts of ancient history as records of fact, much credit is due to this representation, as it is given by a person who himself became a partisan of Cæsar, and as the words which he ascribed to these speakers must have come in the perusal of his work under the inspection of many who were present at the delivery of them *. The execution of the prisoners was accordingly determined, and Cornelius Lentulus, in the beginning of the following night, was by order of the Consul, committed to a vaulted dungeon under ground, and strangled. His accomplices had the same fate: and the minds of men, though somewhat quieted of their fears, were nevertheless stunned with the scene, and beheld with amazement a Patrician of the Cornelian family, of the first rank in the commonwealth, who himself had been Consul, suffering, without any formal trial, by the hands of the common executioner of justice †.

While these things were in agitation at Rome, Cataline was endeavouring to augment his force in the field. He found about two thousand men under Mallius. These he formed into two legions, and as his party increased he completed their numbers. He refused for some time to enrol the fugitive slaves, of whom many took refuge in his camp; thinking

* The more credit is due to this account of Cæsar's and of Cato's speech, that the speech which is ascribed to Cicero by the same historian, is a faithful extract, or contains the purport of the oration which still remains among his works.

† Sallust. Bell. Catal. "Cur ergo in sententiam Catonis? quia verbis luculentioribus et pluribus, rem eandem comprehenderat." Cicer. ad Atticum lib. xii, epist. 21.

it would discredit and weaken his cause to rest any part of it on this support. But the freemen that joined him being ill armed, he was obliged to keep in the neighbourhood of the mountains, and frequently to change his ground, to avoid an engagement with the Consul; and he endeavoured to gain time, in hopes that, the intended blow being struck at Rome, a general defection of the opposite party would ensue. But when accounts came that his design had failed in the city, and that his principal associates were no more, those who were inclined to his cause were discouraged, and numbers who had already joined him began to fall off, he determined to remove to a distance from his enemies; and for this purpose directed his march to a pass in the Appenines, by which he might escape into Gaul. This design the Prætor Metellus had foreseen, made a forced march to prevent the effect of it, and Cataline at last, finding himself beset on every quarter, determined to hazard a battle. Of the armies that were in the field against him, he chose to face that of Antonius; either because it lay on his route to Rome, and, if defeated or removed, might open his way to the city, or because he hoped to meet in the commander of it some remains of inclination in his favour. In whatever degree these hopes were at first reasonably conceived, they ceased to have any foundation; as Antonius, being taken ill, had left the army under the command of Petreius. With this commander Cataline engaged in battle, and, after many efforts of valour and of conduct, fell, with the greater part of his followers, and thus delivered

the State from a desperate enemy, whose power was happily not equal to his designs, and who has owed much of his celebrity to the orator and the historian, who have made him the subject of their eloquent compositions. Sallust appears to have been so intent on raising and finishing particular parts of his work, that he neglected the general order of his narrative. I have, therefore, in most parts of the relation, preferred the authority of Cicero to his. This great man was undoubtedly best informed, and he rested so much of his reputation on this transaction, that he loses no opportunity of returning to it, and in different parts of his writings, when collected, has furnished a pretty full narration of circumstances respecting the origin and termination of this wild and profligate attempt to subvert the government of the republic.

CHAP. XVIII.

Character of the times.—Philosophy.—Opposite tenets and votaries.—Proceedings of the Senate.—Tribunate of Metellus Nepos, and of Cato.—Proposal to recall Pompey at the head of his army frustrated.—His arrival in Italy.—And triumph.

It may appear strange, that any age or nation should have furnished the example of a project conceived in so much guilt, or of characters so atrocious as those under which the accomplices of Cataline are described by the eloquent orator and historian *, from whose writings the circumstances of the late conspiracy are collected. The scene, however, in this republic was such as to have no parallel, either in the past or in the subsequent history of mankind. There was less government, and more to be governed, than has been exhibited in any other instance. The inhabitants of Italy, as citizens of Rome, were become masters of the known world. They pretended to govern in a body, but it was impossible they ever could meet in a fair and adequate convention. They were represented, therefore, by partial meetings or occasional tumults in the capital; and

* Cicero in Sallust.

to take the sense of the People on many a subject, was little better than to occasion a riot. Individuals were vested with powers almost discretionary in the provinces, or continually aspired to such situations. At home they were impatient of government, and in haste to govern. Ruined in their fortunes by private prodigality, or by the public expence in soliciting honours; tempted to repair their ruins by oppression and extortion where they were intrusted with command, or by desperate attempts against the government of their country, if disappointed in their hopes of sharing its profits. Not only were many of the prevailing practices disorderly, but the law itself was erroneous *; adopted indeed at first by a virtuous people, because it secured the persons and the rights of individuals against the possibility of injustice, but now anxiously preserved by their posterity, because it gave a licence to their crimes.

The provinces were to be retained by the forces of Italy; the Italians themselves by the ascendant of the capital; and in this capital all was confusion and anarchy, except where the Senate, by its authority and the wisdom of its councils, prevailed. It was no doubt expedient for the People to restrain abuses of the aristocratical power; but when they assumed the government into their own hands, or

* Lex Valeriâ et Porcia de tergo Civium lata. Liv. lib. ii, c. 8, lib. iii, c. 55, lib. x, c. 9. By these laws a Roman citizen could not be imprisoned, any more than suffer punishment, before conviction; he might stop any proceeding against himself by an appeal to the People; and, being at large during his trial, might withdraw whenever he perceived the sentence likely to be given against him.

when the sovereignty was exercised in the name of the collective body, abuses were multiplied, and the confusion or anarchy which prevailed at Rome spread from one extremity of her dominion to the other. The provinces were oppressed, not upon a regular plan to aggrandize the State, but at the pleasure of individuals, to enrich a few of the most outrageous and profligate citizens. The People, under pretence of exerting their own powers, were perpetually violating the laws which had been made to restrain usurpations; and the public interests and the order of the State were in perpetual struggle with the pretensions of demagogues, or of single and profligate men. In such a situation there were many temptations to be wicked; and in such a situation likewise, minds that were turned to integrity and honour had a proportionate spring and scope to their exertions and pursuits. The range of the human character was great and extensive, and men were not likely to trifle within narrow bounds; they were destined to be good or to be wicked in the highest measure, and, by their struggles, to exhibit a scene interesting and instructive beyond any other in the history of mankind.

Among the causes that helped to carry the characters of men in this age to such distant extremes, may be reckoned the philosophy of the Greeks, which was lately come into fashion, and which was much affected by the higher ranks of men in the State *. Literature, by the difficulty and expence of multi-

* Vid. Cicero's Philosophical Works.

plying copies of books, being confined to persons having wealth and power, it was considered as a distinction of rank, and had its vogue not only as an useful, but as a fashionable accomplishment *. The lessons of the school were admitted as the elements of every liberal and active profession, and they were quoted at the bar, in the field, in the Senate, and every where in the conduct of real affairs. Philosophy was considered as an ornament, as well as a real foundation of strength, ability and wisdom, in the practice of life. Men of the world, instead of being ashamed of their sect, affected to employ its language on every important occasion, and to be governed by its rules so much as to assume, in compliance with particular systems, distinctions of manners, and even of dress. They embraced their forms in philosophy, as the sectaries in modern times have embraced theirs in religion; and probably in the one case honoured their choice by the sincerity of their faith and the regularity of their practice, much in the same degree as they have done in the other.

In these latter times of the Roman republic, the sect of Epicurus appears to have prevailed; and what Fabricius, on hearing rehearsed the tenets of this philosophy, wished for the enemies of Rome, had now befallen her citizens †. Men were glutted with

* The grandees had their slaves sometimes educated to serve as secretaries to themselves, or as preceptors to their children.

† See Plutarch. in Pyrr. The philosopher Cyneas, in the hearing of Fabricius, entertained his prince with an argument to prove that pleasure was the chief good. Fabricius wished that the enemies of Rome might long entertain such tenets.

national prosperity; they thought that they were born to enjoy what their fathers had won, and saw not the use of those austere and arduous virtues by which the State had increased to its present greatness. The votaries of this sect ascribed the formation of the world to chance, and denied the existence of Providence. They resolved the distinctions of right and wrong, of honour and dishonour, into mere appellations of pleasure and pain. Every man's pleasure was to himself the supreme rule of estimation and of action. All good was private. The public was a mere imposture, that might be successfully employed, perhaps to defraud the ignorant of their private enjoyments, while it furnished the conveniences of the wise *. By persons so instructed, the care of families and of states, with whatever else broke in upon the enjoyments of pleasure and ease, were classed among the follies of human life. And a sect under these imputations might be considered as patrons of licentiousness, both in morality and religion, and declared enemies to mankind. Yet the Epicureans, when urged in argument by their opponents, made some concessions in religion, and many more in morality. They admitted the existence of gods, but supposed those beings of too exalted a nature to have any concern in the affairs of men. They owned that, although good and pleasure were synonymous terms, yet, among the varieties of pleasure, those of virtue were the chief. A concession after which they ought to have said, that virtue or the

* Cicero in Pisonem.

chief pleasure was also the chief good, yet they still returned to the general appellation of pleasure, at the hazard of misleading the vulgar and even themselves in their choice *; and while they contended that their difference with other sects consisted in a mere dispute about words, those they were pleased to employ, served to suppress the specific sentiments of conscience and elevation of mind, and to change the reproaches of criminality, profligacy, or vileness, by which even bad men are restrained from iniquity, into mere imputations of mistake, or variations of taste.

Other sects, particularly that of the Stoicks, maintained, almost in every particular, the reverse of these tenets. They maintained the reality of Providence, and of a common interest of goodness and of justice, for which Providence was exerted, and in which all rational creatures were deeply concerned. They maintained, that although it be evident that happiness or the chief good is pleasant; yet it were absurd conversely to say, that every pleasure is happiness or the chief good. In the application of these terms, we must attend to the exemption from suffering, as well as the measure of enjoyment; and as

* Even the leader of this sect himself, though more pure in the choice of his pleasure than many of his followers, yet was far from being regulated in the choice he made by the more important occasions of human life. To him the rearing of a family, without which the human race must speedily perish; the offices of State, without which society cannot exist; were not only superfluous, but expressly precluded from the choice of a wise man. His virtue was to be found in the peaceful retirement of a garden, in exemption from pain or trouble, in contemplation and serenity of mind, in the society of a few select friends, with sobriety and moderation of diet, and other sensualities.

our understanding cannot reach every possible effect upon which to estimate the least measure of pain, and the greatest of pleasure, Providence has not left us to the effect of such a discussion: we are taught to choose, on the first inspection of things, the part of the innocent, of the praiseworthy and just: Of this choice the pleasure is most delightful, and the sense of having failed in it, the most grievous pain: in so much, that although in the nature of things there are many grounds upon which we prefer or reject the objects that present themselves to us, yet the choice which we make, and our own actions, not the event of our efforts, decides our happiness or our misery; that right and wrong are the most important and the only grounds upon which we can at all times safely proceed in our choice, and that, in comparison to this difference, every thing else is of no account; that a just man will ever act as if there was nothing good but what is right, and nothing evil but what is wrong; that the Epicureans mistook human nature when they supposed all its principles resolvable into appetites for pleasure, or aversions to pain; that honour and dishonour, excellence and defect, were considerations which not only led to much nobler ends, but which were of much greater power in commanding the human will; the love of pleasure was groveling and vile, was the source of dissipation and of sloth; the love of excellence and honour was aspiring and noble, and led to the greatest exertions and the highest attainments of our nature. They maintained, that there is no private good separate from the

public; that the same qualities of the understanding and the heart, wisdom, benevolence, and courage, which are good for the individual, are so likewise for the public; that these blessings every man may possess, independent of fortune or the will of other men; and that whoever does possess them has nothing to hope, and nothing to fear, and can have but one sort of emotion, that of satisfaction and joy; that his affections, and the maxims of his station, as a creature of God, and as a member of society, lead him to act for the good of mankind; and that for himself he has nothing more to desire, than the happiness of acting this part. These, they said, were the tenets of reason leading to a perfection, which ought to be the aim of every person who means to preserve his integrity, or to consult his happiness, and towards which every one may advance, although no one has actually reached it.

In these disputes, the celebrated fable of Prodicus seemed to be realized; and as virtue and pleasure there contended for the ear of youth, integrity and corruption now strove for acceptance with a pampered and restless people.

Among those on whom the public fortune seemed to depend, Cæsar is said to have embraced the doctrines of Epicurus; Cato those of Zeno: The first, from indifference to moral distinctions, in compliance with fashion, or from the bias of an original temper: The other, from the force of conviction, as well as from the predilection of a warm and ingenuous mind. When such characters occur together, it is impossible not to see them in contrast.

And Sallust, in relating what passed in the Senate, on the subject of the Cataline conspiracy, seems to overlook every other character, to dwell upon these alone. Cæsar, at the time when this historian flourished, had many claims to his notice *; but Cato could owe it to nothing but the force of truth. He was distinguished from his infancy by an ardent and affectionate disposition. This part of his character is mentioned on occasion of his attachment to his brother Cæpio, and the vehement sorrow with which he was seized at his death. It is mentioned, on occasion of his visit to the Dictator Sylla, when he was with difficulty restrained, by the discretion of his tutor, from some act or expression of indignation against this real or apparent violator of public justice. He had from his infancy, according to Plutarch, a resolution, a steadiness, and a composure of mind, not to be moved by flattery, not to be shaken by threats. Without fawning or insinuation, he was the favourite of his companions, and had, by his unaffected generosity and courage, the principal place in their confidence. Though in appearance stern and inflexible, he was warm in his affections, and zealous in the cause of innocence and justice. Such are the marks of an original temper, affixed by historians as the characters of his infancy and early youth. So fitted by nature, he imbibed with ease an opinion, that profligacy, cowardice, and malice, were the only evils to be feared; courage, integri-

* Sallust attached himself to Cæsar, and was employed by him in the civil wars.

ty, and benevolence, the only good to be coveted; and that the proper care of a man on every occasion is, not what is to happen to him, but what he himself is to do. With this profession he became a striking contrast to many of his contemporaries; and to Cæsar in particular, not only a contrast, but a resolute opponent; and although in these times he could not furnish a sufficient counterpoise, yet he afforded always much weight to be thrown into the opposite scale. They were both of undaunted courage, and of great penetration; the one to distinguish what was best; the other to avail himself of the most effectual means for the attainment of any end on which he was bent. It were to mistake entirely the scene in which they were engaged, to judge of their abilities from the event of their different pursuits. Those of Cato were by their nature in direct opposition to the current of manners, and they were a series of struggles with almost unsurmountable difficulties: those of Cæsar went with the stream, and, except when he was jostled in the competition with others who ran the same course with himself, he had only to seize the advantages of which the vices and weaknesses of the times gave him an easy possession. Cato endeavoured to preserve the order of civil government, however desperate, because this was the part it became him to act, and in which he chose to live and to die. Cæsar hastened its ruin; because he was eager for power, and wished to dispose of all the wealth and honours of the State at his own discretion.

Cæsar, as versatile in his genius, as Cato was steady and inflexible, could personate any character, and support any cause; in debate he could derive his arguments from any topic; from topics of pity, of which he was insensible; from topics of justice and public good, for which he had no regard. His vigour in resisting personal insults or attacks appeared in his early youth, when he withstood the imperious commands of Sylla, to part with his wife, the daughter of Cinna, and when he revenged the violence done by the pirates to himself; but while his temper might be supposed the most animated and warm, he was not involved in business by a predilection for any of the interests on which the People was divided. So long as the appetites of youth were sufficient to occupy him, he saw every object of state, or of faction, with indifference, and took no part in public affairs. But even in this period, by his application and genius, in both of which he was eminent, he made a distinguished progress in letters and eloquence. When he turned his mind to objects of ambition, the same personal vigour which appeared in his youth, became still more conspicuous; but, unfortunately, this passion, the most energetic and powerful in the human mind, instead of urging to genuine greatness, and elevation of nature, was in him a mere principle of competition among the leaders of faction at Rome. He had attained to seven-and-thirty years of age before he took any considerable part as a member of the commonwealth. He then courted the populace in preference to the Senate or better sort of the People, and made his first

appearance in support of the profligate, against the forms and authority of government. With persons of desperate fortune and abandoned manners, he early bore the characters of liberality and friendship; was received among them as a generous spirit, come to explode the morose severity of those who would restrain the freedom of youth within the limits of sobriety and public order. Though himself a person of the greatest abilities, and the most accomplished talents, having an opportunity to live on terms of equality with the greatest men that have yet appeared in the world, he chose to start up as the chief among those who, being abandoned to every vice, saw the remains of virtue in their country with distaste and aversion. In proportion as he emerged from the avocations of pleasure, or from the sloth which accompanies the languor of dissipation, his desire to counteract the established government of his country, and to make himself master of the commonwealth, became more and more evident. To this passion he sacrificed every sentiment of friendship or animosity, of honour, interest, resentment, or hatred. The philosophy which taught men to look for enjoyment indiscriminately wherever it pleased them most, found a ready acceptance in such a disposition. But while he possibly availed himself of the speculations of Epicurus to justify his choice of an object, he was not inferior to the followers of Zeno, in vigorous efforts and active exertions for the attainment of his ends. Being about seven years younger than Pompey, and three years older than Cato; the first he occasionally employed as a prop to his own ambi-

tion, or at least, in the early part of his career, did not seem to perceive him as a rival; the other, from a fixed animosity of opposite natures, and from having felt him as a continual opponent in all his designs, he sincerely hated.

Cato began his military service in the army which was employed against the gladiators, and concluded it as a legionary Tribune, under the Prætor Rubrius, in Macedonia, while Pompey remained in Syria. He was about three-and-thirty years of age when he made his speech in the Senate, relating to the accomplices of Cataline; and by the decisive and resolute spirit he had shown on this occasion, came to be considered as a principal support of the government and authority of the Senate *. To this body, as usual, every flagrant disorder repressed, brought an accession of power; and the discovery of a design, so odious as that of Cataline, covered under popular pretences, greatly served to discredit the supposed popular cause. One of the first uses the Senate proposed to make of their advantage, was to have Cato elected among the Tribunes of the subsequent year. His services were likely to be wanted in opposition to the schemes of Metellus Nepos, who was then arrived from the army in Syria, with recommendations to public favour as a candidate for the office of Tribune; and if he should prevail in the election by the influence of Pompey, it was not doubted, he came charged with some measure to gratify the ambition or vanity of this insatiable suitor for personal consi-

* Plutarch. in Caton. edit. Londin. p. 238.

deration and honour. It had not yet appeared what part he was to take in the disputes which were likely to arise on the legality or expedience of the late summary executions; but it is not to be doubted, that he wished to hold the balance of parties, and that he would come prepared for the part that was most likely to promote his own importance. Metellus was sent on before him to be supported by his friends in the competition which was expected, and with his instructions to take such measures as were likely to favour his pretensions.

The leading men of the Senate were now, for some time, aware of the intrigues of Pompey, and bore, with impatience, the personal superiority which he affected even to the first and most respected men of their order. They took occasion, in the present crisis, to mortify him by admitting Lucullus and Metellus Creticus to the triumphs to which, by their respective victories in Pontus and in Crete, they were long entitled. Hitherto the claims of these officers had been overruled by the popular faction, either to annoy the senatorian party, to which they were attached, or to flatter Pompey, who was supposed to be equally averse to the honours of both. They had waited in Italy about three years, and, in the manner of those who sue for a triumph, still retaining the fasces or ensigns of their late command *, had refrained from entering the city.

Lucullus, having obtained the honour that was due to him, seemed to be satisfied with the acknow-

* Cicero in Lucullo.

ledgment of his right; and, as if merely to show with what sort of enemy he had fought, he entered the city with a few of the Armenian horsemen cased in armour, a few of the armed chariots winged with scythes, and about sixty of the officers and courtiers of Mithridates, who were his captives. He ordered the spoils he had gained, the arms and ensigns of war, the prows of the galleys he had taken, to be displayed in the great circus, and concluded the solemnity with giving a feast to the People. The Senate hoped for his support against the ambition of Pompey, and the factious designs of the popular leaders; but he was disgusted, and from thenceforward scarcely ever took a part in the affairs of State.

The triumph of Metellus Creticus did not take place till after the accession of P. Junius Silanus and Lucius Muræna, Consuls of the following year; after whose election, Cicero, before he had vacated the office, or laid down the fasces, had occasion to defend his intended successor Muræna, against a charge of corruption brought upon the statute of Calpurnius, by Servius Sulpicius, one of his late competitors, supported by Cato and others. The oration of Cicero on this occasion is still extant, and is a curious example of the topics which, under popular governments, are recurred to even in judicial pleadings. Great part of it consists in a ridicule of law terms; because Sulpicius, one of the prosecutors, used to give counsel to his friends who consulted him in matters of law; and in a ridicule of the Stoic philosophy, because Cato, another prosecutor, was supposed to have embraced the doctrines of that sect.

Cato made no other remark on this pleading, but that the republic was provided with a merry Consul. The argument, however, appeared sufficiently strong on the side of Muræna, and he was acquitted.

At the close of this trial, Cicero, about to abdicate his power, and being to make the usual asseveration, upon oath, That he had faithfully, and to the best of his abilities, discharged his trust; proposed to introduce this solemnity with a speech to the People, but was ordered by Metellus, already elected, and acting in the capacity of Tribune, to confine himself to the simple terms of his oath. He accordingly refrained from speaking; but instead of swearing simply, That he had been faithful to his trust, he took an oath, That he had preserved the republic *. It was on this occasion, probably, that Cato, now another of the Tribunes, addressing himself to the People, and alluding to the suppression of the late conspiracy, called Cicero the Father of his Country †; and from this time entered upon an opposition to his colleague Metellus, which was not likely to drop while they continued in office.

Soon after the accession of the new magistrates, a storm began to gather, which, though still aimed at the party of the Senate, burst at last in a personal attack upon the late Consul, who had been the prompter or instrument of the Senate in the late summary proceedings against the accomplices of Cataline. Metellus Nepos seems to have come from Asia, and to have

U. C. 691. D. Junius Silanus, L. Muræna.

* Plutarch. in Cicerone. † Cicer. in Pisonem. c. 5.

entered on the office of Tribune, with a particular design to bring about the reception of Pompey with his army into Rome; and in this project he was joined by Caius Cæsar*, now in the office of Prætor, who chose to support the Tribune in this measure, as an act of hostility to the Senate, if not as the means of obtaining a precedent of which he might in his turn avail himself.

In consequence of a plan concerted with Cæsar, the Tribune Metellus moved in the Senate, as had been usual in the times of its highest authority, for leave to propose a decree in the Assembly of the People recalling Pompey from Asia at the head of his forces, in order to restore the constitution of the commonwealth, which, in the terms he afterwards employed to the People, had been violated by the arbitrary administration of Cicero. This was the first attempt of the party to inflame the minds of the People on the subject of the late executions; and Pompey was, in this manner, offered to the popular party as their leader, to avenge the supposed wrongs they had received. Cato, when the matter was proposed in the Senate, endeavoured to persuade Metellus to withdraw his motion, reminding him of the dignity of his family, which had been always a principal ornament and support of the State. This treatment served only to raise the presumption of Metellus, and brought on a violent altercation between the Tribunes. The Senate applauded Cato, but had not authority enough to prevent the mo-

* Sueton. in Jul. Cæs. c. 16.

tion which was proposed from being made to the People.

Metellus, apprehending an obstinate resistance from his colleague, endeavoured to fill the place of assembly with his own partisans; and, on the evening before the meeting, in order to intimidate his opponents, paraded in the streets with a numerous attendance of men in arms. The friends and relations of the other Tribunes earnestly beseeched them not to expose themselves to the dangers with which they were threatened. But, on the following day, the other party being already assembled by Metellus, at the temple of Castor, and the place having been in the night occupied by persons under his direction, armed with clubs, swords, and other offensive weapons*, Cato went forth attended only by Minucius Thermus, another of the Tribunes, and a few friends. They were joined by numbers in the streets, who could not accompany them to their place, being prevented by the multitude of armed men who already crowded the avenues and the steps of the temple. But they themselves, from respect to their office, being suffered to pass, dragged along with them through the crowd, as an aid, in case any violence were offered, Munatius, a citizen much attached to Cato. When they came to the bench of Tribunes, they found that Metellus, with the Prætor Julius Cæsar, had taken their places there; and that, in order to concert their operations in the conduct of this affair, they were closely seated together. Ca-

* Plutarch. in Catone, edit. Londin. p. 241, &c.

to, to disappoint this intention, forced himself in betwixt them, and, when the ordinary officer began to read the intended decree, interposed his negative, or forbade him to proceed. Metellus himself seized the writing, and began to read; but Cato snatched it out of his hands. Metellus endeavoured to repeat the substance of it from his memory. Thermus clapped a hand to his mouth. A general silence remained in the assembly, till Metellus, having made a signal concerted with his party to clear the comitium of their enemies, a great tumult and confusion arose; and the Tribunes who opposed Metellus were in imminent danger. The Senators had met in mourning, to mark their sense of the evils which threatened the commonwealth; and now, under the apprehension of some signal calamity, gave a charge to the Consuls to watch over the safety of the State, and empowered them to take such measures as might be necessary to preserve or to restore the peace *.

In consequence of this charge, the Consul Muræna appearing with a body of men in arms, had the good fortune to rescue Cato and Minutius Thermus; and probably by this seasonable interposition effaced any remains of misunderstanding which might have subsisted between Cato and himself, on account of the prosecution for bribery which followed the late elections †.

Metellus, after the tumult was composed, having again obtained silence, began to read the proposed

* Plutarch. in Catone, edit. Londin. p. 241, &c. † Plutarch. ibid.

decree; but the senatorian party, headed by the Consuls, being then in the comitium, he found it impossible to proceed; and, together with the Prætor Caius Cæsar, retired from the assembly. From this time, these officers made no attempt to resume their motion, but complained that the government was usurped by a violent faction, under whom even the persons of the Tribunes were unsafe; and Metellus, as if forced to break through the rules which obliged the Tribunes to constant residence at Rome, abandoned the city, even left Italy, and fled to the camp of Pompey in Asia, from which he had but lately set out on his journey to Rome *. He had already threatened his opponents in the city with the resentment and military power of his general, and now endeavoured to excite the army and their commander to follow the example which had been set to them by Sylla and his legions, when oppressed citizens, a description which he now assumed to himself, fled to them for protection and revenge.

It may well be supposed, that Cæsar, remembering his own escape from the ruin of the Marian faction, and considering Pompey as the head of an opposite interest, and a principal obstacle to his own ambition, must look upon him with some degree of personal dislike and animosity; but his conduct on this occasion sufficiently shewed how little he was the dupe of any passion or sentiment which had a tendency to check his pursuits. Meaning for the

* Dio. Cass. lib. xxxvii, p. 43.

present only to weaken the Senate, and to partake in the favour which Pompey enjoyed with the People; he undertook the cause even of a rival, and would have joined the populace, in delivering the commonwealth into his hands, rather than remain under a government which he considered as the principal bar to his own elevation. But if he really meant to overthrow the Senate by force, he mistook his instrument. Pompey, no doubt, aspired to be the first among citizens, and wished for the ostentation of military power at Rome; but even this he desired to receive as the fruit of consideration and personal respect; and he ever hoped to make the People bestow it, and even force him to accept of it as their gift. For this purpose he encouraged so many agents and retainers to sound his own praise; and for this purpose he had recently sent Metellus Nepos from his camp in Asia to take upon him the functions of a popular Tribune at Rome; but having failed in the project of vanity, his mind misgave him in the project of force. No one ever courted distinction with a more incessant emulation to his rivals; but he was entirely dependent on the public opinion for any satisfaction he enjoyed in the possession of power. Trusting perhaps to this part of his character, Cæsar, though no way remiss as a rival, was not yet alarmed at the elevation of Pompey, and thought that he was safe in admitting him to govern with the sword at Rome. Pompey was, at this conjuncture, with his army moving towards Italy, and his approach was matter of great apprehension to the friends of the commonwealth, who feared that, in return to the

affront of his not being invited, upon the motion of Metellus, to come with his army, he would employ it in person to enforce his commands. Upon his arrival at Brundisium, however, as formerly upon his return from Africa, he dispelled those fears by an immediate dismission of the troops, with instructions, merely that they should attend at his triumph. He himself came forward to Rome with the single equipage of his proconsular rank. Multitudes of every condition went forth to receive him, and with shouts and acclamations recompensed the moderation with which he acquiesced in the condition of a citizen.

Cæsar, from whatever motive he acted in regard to Pompey, gave every other sign of disaffection to the Senate, and employed the name of this rising favourite of the People, to mortify such of the members in particular as were objects of personal animosity to himself. The repairs or rebuilding of the Capitol being finished about this time, the honour of dedicating the edifice, and of being named in the inscription it was to bear, was, by a resolution of the Senate, conferred on Catulus, under whose inspection the work had been executed. But Cæsar, affecting to obtain this honour for Pompey, alleged that Catulus had embezzled the money allotted for the service; that much yet remained to be done; and moved, that the inscription of Catulus should be erased; that the completion of the work being left to Pompey, should carry an inscription with his name *. Here he probably acted as much from an-

* Sueton. in Jul. Cæsare, c. 15.

tipathy to the one, as from an intention to flatter the other. But the design being extremely odious to the whole body of the Nobles, who saw, with indignation, in that proposal, an attempt to affront a most respectable citizen, in order to flatter the vanity of one person, and to gratify the profligate resentments of another; under this aspect of the business, Cæsar was obliged to withdraw his motion *.

It was probably during this year in which Cæsar was Prætor, and before the arrival of Pompey from Asia (although historians refer it to an earlier date), that Cæsar promoted, as has been already mentioned, prosecutions upon a charge of assassination against some of the persons concerned in the execution of Sylla's proscriptions. The Prætors had in charge by lot to superintend the application of particular laws. The law respecting assassination appears to have been the lot of Cæsar; and he was entitled, in virtue of his office, the jurisdiction of which was still very arbitrary, to extend, by his edict or plan of proceeding for the year, the description of the crime under his cognisance to any special case.

While he seemed to have formed so many designs against the peace of the commonwealth, and in the capacity of Prætor supported them with the authority of a magistrate, the senatorian party made a powerful exertion of their influence to have him suspended, and actually obtained a decree for this purpose. He affected at first to slight their authority;

* Dio. Cass. lib. xlvii, c. 44.

but finding that a power was preparing to enforce it, perhaps at the hazard of his life, he laid aside for some time the robes and badges of magistracy, dismissed his lictors, and abstained from the functions of Prætor, until, having rejected an offer of the People to restore him by force, he was, with proper marks of regard, for this instance of moderation and duty, reinstated by an act of the Senate itself*.

The aristocratical party, meanwhile, to confirm and perpetuate the evidence on which they had proceeded against the accomplices of Cataline, continued their prosecutions on this subject, and obtained sentence of condemnation, in particular, against a citizen of the name of Vergunteius, and against Autronius, who, about two years before, having been elected Consul, was set aside upon a charge of bribery, and who, from the disgust which he took to the Senate upon that occasion, had connected himself with the more desperate party. Publius Sylla, as has been mentioned, was also tried; but upon the pleading and testimony of Cicero, who possessed all the information obtained on this subject, was honourably acquitted.

Cæsar likewise was accused by Vectius as accessary to the conspiracy of Cataline; but it is not likely that he was concerned farther than by the general encouragement he gave to every party at variance with the Senate. Opposition to this body was reputed the cause of the People, and was pretended by every person who had any passions to gratify by

* Sueton. in Jul. Cæsare, c. 16.

crimes of state, or who wished to weaken the government, to which they themselves were accountable. Among the supporters of this interest, Crassus also was accused, but probably on no better ground than Cæsar.

The whole of these proceedings, however, were suspended by the approach of Pompey. This leader had now drawn the attention of all men upon himself, was quoted in every harangue as the great support of the empire, and courted by multitudes, who, without inquiry, or knowledge of his person, affected to be classed with his admirers and friends. While the contagion spread, like a fashion, among the People, he himself affected indifference to this mighty tide of renown, though not without much dignity and state, which he tempered with affability and grace; employing the greatness he possessed to give the more value to his condescensions. His manner, though acceptable to the People, and the Army he commanded, was disagreeable to the Senate. Having previously sent Piso, one of his lieutenants, before him to stand for the Consulate, he had the presumption to desire that the Senate would defer the elections until he himself could be present to canvass for his friend. The Senate, according to Dio, complied with his desire; but, according to Plutarch, rejected the proposal with disdain. This author imputes the resolution, which they took upon this occasion, to Cato, and subjoins, that Pompey afterwards endeavoured to gain this opponent by a proposed marriage with one of his near relations; and that Cato declined the connection, say-

ing, That he should not be caught in a female snare. Piso, however, was elected, together with Valerius Messala, and entered on his office before the solemnity of Pompey's triumph.

This followed soon after; and, though continued for two days, could not make place for all the magnificent shows which had been provided to adorn it. The list of conquests exceeded that which had ever been produced at any other triumph; including Asia, Pontus, Armenia, Cappadocia, Paphlagonia, Medea, Colchis, Iberia, Albania, Syria, Cilicia, Mesopotamia, Phœnicia, Judæa, Arabia, Scythia, Crete *, with the sea on all its coasts. Among the nations or potentates subdued, were the Basterni, Mithridates and Tigranes. Among the captures, a thousand fortresses, nine hundred cities reduced, eight hundred galleys taken, above two millions of men in captivity. Towns repeopled, not less than three hundred and ninety-nine. To this pompous list, it was subjoined by his friends, that, this being his third triumph, he had now made a round of the known world, or had triumphed over all the three parts of the earth, Africa, Europe, and Asia.

A. C. 692. M. Pub. Piso Calpurnius, M. Val. Messala Niger.

After rewarding the soldiers, of whom none received less than fifteen hundred denarii †, he carried to the treasury twenty thousand talents ‡. Among his principal captives, were led, besides the chief pirates, Tigranes, son to the king of Armenia, with his wife and his daughter,—Zozimé, the queen of Tigranes

* Plin. Nat. Hist. lib. vii, c. 26. † About L. 50. ‡ About L. 3,860,000.

the father,—Aristobulus, king of the Jews,—a
of Mithridates with five sons, and some Scythi
men;—the hostages of the Iberii, and the C
geni, together with trophies for every battle
fought, making in all a more splendid exhibitic
any that was to be found on the records
State.

The triumphal processions of Pompey merit more attention than those of any other person, because they exhibit his character as well as military success. Others took the benefit of an established practice to publish and to ratify the honours they had acquired; but Pompey, it is likely, would have invented the triumph, even if it had not been formerly thought of; and it is not to be doubted, that he overran some provinces in which the enemy were subdued, or in which they were so weak, as not to be able to make any resistance, merely to place them in the list of his conquests; and that he made some part of his progress in Asia merely to accumulate trophies and ornaments for this pompous scene.

The triumph, in its ordinary form, consisted only of such exhibitions as had a reference to the service in which it was obtained; the captives and spoils of the enemy, with effigies or representations of the first, where the originals, by any accident, could not be displayed. But in the solemnities instituted for the honour of Pompey, were admitted whatever could distinguish or signalize the occasion. Among these, according to the record transcribed by Pliny *,

* Nat. Hist. lib. xxxvii, c. 2.

there were many costly ornaments of gold and of precious stones, not taken from the enemy, but fabricated on purpose to be shown: Plates, used for some species of game or play, made of one entire crystal; a model of the moon in gold, weighing thirty pondo; tables, utensils, statues, crowns adorned with precious stones, the representation also of an entire mountain in gold, with its herds of deer, and other animals, haunted with lions: and what serves as an evidence that these exhibitions were not limited to the spoils actually taken in war, there is mentioned an effigy of Pompey himself incrusted with pearls. The whole conducted with more arrangement and order, than were necessary, perhaps, in the disposition made for any of the battles which the triumph was intended to celebrate.

Among the images, representations, and memorials which were carried before the victor on this occasion, there was held up to view a state of the public finance, from which it appeared, that before Pompey's time the revenue amounted to no more than fifty millions*; and that the addition which he alone brought to it amounted to eighty-five millions†.

Soon after this pomp was over, an assembly of the People was called in the Circus Flaminius, to receive an address from the victorious commander; but from an extreme caution not to offend any party, the speech which he made, upon this occasion, was acceptable to none. "It gave no hopes," says Cice-

* L. 416,666.

† L. 708,333. Plutarch. in Pompeio, edit. Lond. p. 470.

ro *, "to the poor; no flattery to the rich; no satis-
"faction to the good; no encouragement to the pro-
"fligate." Pompey was suffered to possess the high-
est place in the consideration of the public, merely because he assumed it; and he preserved his dignity, by never committing his reputation without being prepared, or without having concerted a variety of arts by which it might be supported †.

---

* Cicer. ad Atticum, lib. i, ep. 14.

† Sallust, in Catalin. c. 54, in contrasting the characters of Cæsar and Cato, does not propose to decide on the comparative merit of their objects; for this he assumes to have been consideration or glory, and the same in both; but in reality he seems to have mistaken the object of either. That of Cæsar was not consideration; for although he courted the public opinion, when subservient to his power, yet he slighted it also, when it stood in his way to dominion. In the object of Cato, consideration had no share. His life was distinguished by the general tenor of reason, integrity, humanity and justice, in the public cause, whatever the world might think of his conduct. And his resolution often led him into measures, unsuccessful from the want of co-operation in a corrupt or misguided age. The great distinction of Pompey, if we insert his character into this comparison, was the prevailing attention to consideration or glory, in preference to either virtue or power.

CHAP. XIX.

Transactions at Rome, and in the provinces.—Julius Cæsar appointed, in the quality of proprætor, to his first province of Lusitania.—Trial of Clodius.—Proposed adoption into a plebeian family, to qualify him for the office of tribune.—Cæsar, a candidate for the consulship.—The triumvirate of Cæsar, Pompey, and Crassus.—Consulship of Cæsar.—Motion of Vatinius, to confer on Cæsar, for five years, the command in Gaul.—Marriage of Pompey to Julia.—Of Cæsar to Calpurnia.—Plot of Vettius.—Consulate of Lucius Calpurnius and A. Gabinius.—Attack made upon Cicero.—His exile.

Pompey, at his departure from Syria, left that province with two legions under the command of M. Æmilius Scaurus, one of his lieutenants. This officer occupied the country from the Euphrates to the frontier of Egypt, and continued the war which his predecessor had begun with the Arabs.

Caius Antonius, the late colleague of Cicero in the Consulate, soon after the defeat of Cataline, proceeded to the province of Macedonia, of which, by the arrangements of the year, he had been appointed the governor. He entered his province with the ensigns of victory, which had been obtained by the defeat of Cataline; but these he soon forfeited by his misconduct in a war against the Thracians, and by the disgrace which he otherwise incurred in the mal-

administration of his province. Complaints were exhibited against him for extortion. On this occasion, it had been reported by himself, or by some of his family, that, having agreed to divide the profits of his government with Cicero, part only of his exactions was made on his own account. This allegation, Cicero, in a letter to Atticus, mentions with scorn; and, being asked to undertake the defence of Antonius, questions whether he can decently do so under this imputation *. But as he soon afterwards undertook the cause, and employed his interest to have the Proconsul continued in his province, it is probable that this imputation either gained no credit, or was entirely removed †.

The Allobroges, though deprived of the support they were made to expect from the party of Cataline, nevertheless took arms, and invaded the Roman province of Gaul. After a variety of events, they were repulsed by Pontinius, who then commanded the legions in that quarter, and forced to retire into their own country ‡.

About the same time, Caius Julius Cæsar, upon the expiration of his term in the office of Prætor, obtained his first military command, being appointed by lot to the government of Lusitania, where, under different pretences, he found an opportunity to quarrel with the natives, to shew his own capacity for war, and to lay some ground for his claim to a triumph ‖. In pushing his way to the preferments

* Vid. Cicero ad Atticum, lib. i, ep. 12. † Ad Familiar. lib. v, ep. 5.
‡ Dio. lib. xxxvii. ‖ Ibid. c. 52, &c.

which he now held in the State, he had ruined his fortune by largesses, public shows, and entertainments to the People, by his lavish bounty in private to needy and profligate citizens, and in supporting every desperate cause against the Senate and the Government; and is reported to have said of himself, when he set out for his province, that he needed one hundred and fifty millions Roman money, or one million two hundred thousand pounds sterling, to be worth nothing *. When about to depart from the city, he was pressed by his creditors, and had recourse to Crassus, who became his surety for great sums †.

A person who, in any other state than that of Rome, could suppose such a fortune reparable, must have thought of means alarming to the State itself; but Cæsar had now quitted the paths of pleasure for those of ambition; and, in an empire which extended over so many opulent provinces, needed only to have power, in order to become rich. Although the province which now fell to his lot was not the most wealthy, or was only a step to somewhat farther, more considerable, and more likely to supply him with the means of pursuing his objects, he was nevertheless reported, even there, to have supplied his own wants, and to have enriched his army ‡.

In passing the Alps, on his way into Spain, at a village on the way, one of his company having observed, that, "*Here too there might be parties and*

* Appian. de Bell. Civ. lib. ii, p. 715.

† Ibid. About L. 160,000. Plutarch. in Cæsare.

‡ Ibid. edit. Lond. p. 111.

"*contests for power*:" "*Ay*," said Cæsar, with a characteristical confession, "*and I would rather be the "first man in this place, than the second at Rome* *."
Upon his arrival in Lusitania, he made the necessary augmentation of the army, and soon overran all the districts that were disposed to resist his authority. With the same ability with which he conducted his military operations, he supported the dignity of a Roman governor, no less in the civil than in the department of war. Historians, upon an idea which occurred to them, that the disorder in his own affairs might have rendered him partial to insolvent debtors, and being at pains to acquit him of any such charge, observe that he gave proofs of the contrary; among which they specify a rule which he followed, in ordering two-thirds of the debtor's effects to be sequestrated for the use of his creditors †.

While these things passed in the provinces, the People being indulged in their favourite gratifications, suffered an increase of the political distempers with which the public had been for some time infected. The expence and dissipation attending the public shows, in particular, were augmented to a great degree. Lucius Domitius Ahenobarbus exhibited the baiting of an hundred bears by African huntsmen ‡; and whereas such entertainments had formerly ended at one meeting, they were now con-

* Plutarch. in Cæsare, edit. Lond. p. 111. † Ibid. p. 112.
‡ Plin. Nat. Hist. lib. viii. c. 36.

tinued through many acts *, and were intermitted only while the spectators retired to their meals.

The office of Censor, as appears from the transactions which are mentioned relating to the farmers of the revenue and the rolls of the Senate, was in actual exertion at this time, although the names of the persons by whom it was exercised are not recorded. These officers are said to have let the revenues of Asia at a rate, of which the farmers afterwards complained, alleging, that their own avidity in grasping at the profits to be made in this new province had misled them †. The Censors likewise put upon the rolls of the Senate all who had ever held any office of magistracy, and by this addition increased the number of members beyond the former and ordinary rate ‡.

About the same time happened the memorable trial of Publius Clodius, for the scandal he had given by profaning the sacred rites in Cæsar's house. This debauchee was supposed, for some time, to have sought for an opportunity of a criminal correspondence with Pompeia, Cæsar's wife; but to have been prevented, if not by her own discretion, at least by the attention and vigilance of her family ‖. In these circumstances, during the preceding year, it fell to the lot of Pompeia, as being wife to one of the Prætors in office, to celebrate, at her house, the festival of a certain female deity § worshipped by the

* Dio. Cass. lib. xxxvii, c. 47. † Cic. ad Atticum, lib. i, ep. 17.
‡ Dio. lib. xxxvii, c. 46. ‖ Plutarch. in Cæsare, edit. Lond. p. 109.
§ Called the Bona Dea.

Romans, and at whose rites women alone were admitted. Every male domestic, even the husband, was obliged to absent himself from home while the rites were administered. Clodius took this opportunity to carry on his intrigue; put himself in a female dress, and, being young and of an effeminate aspect, expected to pass for a woman *. Pompeia was supposed to be apprised of the design, and to have stationed a female slave to receive and conduct her paramour through the apartments. But being met by another slave who was not in the secret, his voice betrayed him. A cry of amazement and horror was immediately communicated through all the apartments, and the occasion of it discovered to the matrons, who were met to celebrate the rites. Clodius escaped, but not without being known. The College of Pontiffs made a report, that the sacred rites had been profaned. The Senate resolved, that inquiry should be made into the grounds of the scandal; and that the People should be moved to authorise the Prætor in office to select, without drawing lots, proper judges for the trial of the accused.

Clodius, by the suspicion of an incestuous commerce with his own sister, the wife of Lucullus, by his perfidy in seducing the troops of that general to mutiny, and by his profligacy on every occasion, had incurred a general detestation; and many of the Senators, as the likeliest way of removing him from

* Cicero ad Atticum, lib. i, ep. 12, 13.

the commonwealth, combined in urging the present prosecution against him.

He himself, foreseeing the storm, had taken refuge in the popular party, and endeavoured to silence the voice of infamy, by professing extraordinary zeal for the People, and vehement opposition to the Senate. These parties accordingly became interested in the issue of his cause. The popular leaders endeavoured to preserve him as an useful instrument, and the Senate to remove him, as a vile and dangerous tool, from the hands of their enemies. Even Cæsar, though personally insulted, and so far moved by the scandal which had been given in his own house as to part with his wife, still affected to consider as groundless the charge which was laid against Clodius; and being asked, why he had parted with a woman who, upon this supposition, must appear to be innocent, said, that his wife must not only be innocent, but above imputation. Pompey, to avoid giving offence, declined to favour either party; but being called upon in the Assembly of the People to declare his opinion, whether this trial should proceed according to the decree of the Senate, made a long speech, full of respect to the Nobles, and of submission to the Senate, whose authority, in all questions of this sort, he said, should ever with him have the greatest weight. He afterwards, in the Senate itself, being called upon by Messala the Consul, delivered himself to the same purpose; and when he had done, whispered Cicero, who sat by him, that he thought he had now sufficiently explained himself; intimating probably, that he meant to comprehend, in this declaration, also his judgment with

respect to all the acts of the Senate which had passed relating to the accomplices of Cataline *.

The Consul Piso was instructed to carry to the People, for their assent, an act for the better conduct of the trial of Clodius, dispensing with the usual mode of draughting the judges by lot, and authorising the Prætor to select them, that he might name the more respectable persons. On the day on which this motion was to be made, a numerous party of young Nobility appeared for the defendant. His hirelings and retainers crowded the Comitium. Even Piso, who moved the question, dissuaded the People from passing the law, and allowed the friends of Clodius to put a ridiculous trick on the assembly, by distributing to the People, as they came forward to vote, two ballots, which, instead of being, as usual, one negative and the other affirmative, were both negative. This trick being observed, Cato, with the authority of Tribune, suspended the ballot, and strongly remonstrated against the proceedings of the Consul †. In this he was supported by Hortensius and Favonius. The assembly broke up, and the affair again returned to the Senate. The members were importuned by Clodius, who cast himself at their feet as they entered; they, nevertheless, confirmed their former resolution by a majority of four hundred to fifteen ‡.

Hortensius, however, having proposed, that, instead of the motion which the Consuls had been in-

* Cicero ad Atticum, lib. i, epist. 13, 14, 16.
† Ibid. ‡ Ibid.

structed to make for the selection of the judges, the Tribune Fusius should move the People to grant commission for the trial, leaving the judges, as usual, to be drawn by lot; an edict was accordingly framed and passed to this effect. Hortensius, who conducted the trial, was confident that no jury could acquit the accused. And the court, in all their proceedings, seemed at first inclined to severity. They even applied for a guard to protect their persons against the partisans of the criminal; but the majority, nevertheless, it was alleged, suffered themselves to be corrupted, or took money in the course of the trial. Of fifty-six judges that were inclosed, twenty-five gave their voice to condemn, and thirty-one to acquit. Catulus, on this occasion, asked the majority to what purpose they had desired a guard? "Was it," he said, with a sarcasm, which modern juries could ill endure, "to secure the money you "expected to receive for your votes *?"

Soon after this judgment the Senate resolved that inquiry should be made concerning those judges who had been corrupted in the trial. And by this resolution gave a general offence to the Equestrian order, who considered it as an imputation on their whole body †.

Pompey, in the course of this transaction, had been obliged to declare himself for the Senate; but his object was to be on good terms with all parties, and to manage his interest, by having some of his

---

* Dio. Cass. lib. xxxvii, c. 46. Cicero ad Att. lib. i, ep 16.

† Ibid. Ibid.

creatures always chosen into the highest offices of State. He offered, as candidate for the Consulate of the following year, Afranius, one of his dependants, who is represented by Cicero as a person of mean character, and who, having no personal dignity, nor any credit with the People, was to be supported in his canvass by money alone. Pompey himself, and the Consul Piso, openly employed bribery in obtaining votes in his favour *.

A variety of resolutions were obtained in the Senate to restrain these practices. Two of them were proposed by Cato and Domitius. The first was levelled against the Consul Piso himself, and gave permission, on the suspicion of illicit practices respecting elections, to visit the house even of a magistrate. By the other it was declared, that all those who were found distributing money to the People should be considered as enemies to their country †.

The Senate, at the same time, encouraged Lurco, one of the Tribunes, to propose a new clause to corroborate the laws against bribery. By this clause promises of money made to the People, if not performed, did not infer guilt; but, if performed, subjected the guilty person from thenceforward to pay to each of the Tribes an annual tax of three thousand Roman money, or about twenty-four pounds sterling; and there being thirty-five Tribes, this tax amounted in all to about eight hundred and forty pounds of our money. That the Tribune might not be interrupted in carrying this law, the Senate far-

* Cicero ad Att. lib. i, ep. 16. † Ibid.

ther resolved, that the formalities or restrictions of the Lex Ælia and Fusia * should not be opposed to him †. It appears, however, that the liberality or other influence of Pompey prevailed against these precautions, as Afranius was elected, together with Q. Cæcilius Metellus Celer.

Soon after the election of these officers, the farmers of the revenue of Asia, supported by the whole Equestrian order, complained, as has been mentioned, of the terms of their contract, in which they alleged that they had greatly exceeded what the funds of that province could afford, and made application to the Senate for relief. Their plea was contested for some months with great animosity on both sides ‡.

Upon the accession of the new Consuls, several other matters, tending to innovation and public disturbance, were introduced. Metellus Nepos, late Tribune, being now in the office of Prætor, procured a law to abolish the customs payable at any of the ports of Italy. The Romans, as has been observed, upon the accession of wealth derived from Macedonia, had exempted themselves from all the ancient assessments, and they now completed the exemption of all the Italians from every tax besides that of quit-rents for public lands, and the twentieth penny on the value of slaves when sold or emancipated. They were become the sovereigns of a great empire,

* These were formalities and restrictions provided to check the precipitate passing of laws.

† Cicer. ad Att. lib. i, ep. 16.

‡ Ibid. ep. 17, 18.

and as such, thought themselves entitled to receive, not obliged to pay, contributions *.

The Tribune Herennius, at the same time, made a motion for an act to enable Publius Clodius to be adopted into a plebeian family, which, though an act of a more private nature than any of the former, tended still more to embroil the parties of the Senate and the People. This factious and profligate person had entertained great resentments against many of the Senators on account of the prosecution he had lately incurred, and against Cicero in particular, who, having been called as an evidence on his trial, gave a very unfavourable account of his character. The summary proceedings against the accomplices of Cataline, in which Cicero presided as Consul, exposed him to the resentment of the popular faction; and Clodius now proposed to qualify himself to be elected Tribune of the People, in order to wreak his vengeance on that magistrate in particular, as well as on the other abettors of the senatorian party. The motion, however, for the present, was rejected, though not finally dropped, either by Clodius himself, or by the popular faction, whose cause he professed to espouse †.

Two other motions were made, in which Pompey was deeply interested: one, to ratify and confirm all his acts in the province of Asia; another, to procure settlements for the veterans who had served under his command. The first, as it implied a re-

* Cicero ad Att. lib. ii, ep. 16. Dio. Cass. lib. xxvii, c. 51.

† Dio. Cass. lib. xxxvii, c. 51.

flection on Lucullus, many of whose judgments Pompey had reversed, roused this statesman from the care of his household and his table, to that of the republic *. He opposed this motion with vigour, and insisted that the acts of Pompey should be separately examined, and not confirmed in a single vote. In this he was supported by Catulus, by Cato, by the Consul Metellus, and by the Senate in general. Afranius, though vested with the Consulate, and acting almost as the agent of Pompey, had neither dignity nor force to support such a measure; and Pompey, finding it rejected by the Senate, declined carrying it to the People †.

The other proposal, relating to the allotment of settlements for the soldiers of Pompey, was, by L. Flavius, one of the Tribunes, moved in the Assembly of the People, under the title of an Agrarian Law. In this act, to guard against the imputation of partiality to any particular class, certain means of relief were projected for the indigent citizens in general ‡; and, to enable the commonwealth to extend its bounty, it was proposed first of all to revoke the conveyance of certain lands, which, having belonged to the public in the Consulate of P. Mucius and L. Calpurnius, were sold by the Senate; and that the price should be restored to the purchasers. It was proposed, likewise, to seize certain lands which had been confiscated by Sylla, but not appropriated to any particular use; and to allot, during five years,

* Plutarch. in Lucullo, edit. Lond. p. 197.
† Dio. lib. xxxvii, c. 49. ‡ Ibid. lib. 1.

the fruits of the recent conquests in Asia to purchase settlements, which should be distributed in terms of this act *.

The Consul Metellus Celer, supported by the Senate, strenuously opposed the passing of this law. But the Tribune persisted with great obstinacy, and, to remove the obstruction he met with, committed the Consul to prison. The whole Senate would have attended him thither, and numbers accordingly crowded to the place, when the Tribune, vested with the sacred defences of his person, to bar their way, planted his stool or chair of office in the door of the prison; and, having seated himself upon it, "This way," he said, "you cannot pass; if you "mean to enter, you must pierce through the "walls †." He declared his resolution to remain all night where he sat. The parties were collecting their strength, and matters were likely to end in greater extremities than suited the indirect and cautious conduct of Pompey. This politician, although he engaged all his friends to support the motion of Flavius, affected to have no part in the measure, and now probably in secret instructed the Tribune to remove from the doors of the prison. This at least might be suspected from the sudden resolution of the Tribune, to give way, saying that he did so at the request of the prisoner, who begged for his liberty ‡.

* Cicer. ad Att. lib. i, ep. 19. † Dio. lib. xxxvii, p. 50.
‡ Dio. lib. xxxvii, p. 50.

It is supposed that Pompey, on this occasion, severely felt the checks which his ambition received from the Senate; that he regretted, for a moment, the dismission of his army, and wished himself in condition to enforce what his craft or his artifice had not been able to obtain. The error he had committed in resigning the sword, if he conceived it as such, might have still been corrected by recovering the possession of some considerable province which would have given him the command of an army and of proper resources to support his power. He, nevertheless, appears to have preferred the scene of intrigue in the city and the capital of the empire; a choice in which he was probably confirmed by Cæsar, who professed great attachment to him, and who was about this time returned from the government which he held as Proprætor in Lusitania.

This officer, according to Dio, had found some pretence for a war with the nations on the frontier of the Roman province; had obliged them to take refuge in some of the islands on the coast, and afterwards subdued them in that retreat. His object was to return to resign his command with the reputation of victory, to obtain a triumph, and to offer himself as a candidate for the Consulship of the following year. For this purpose he quitted his province without waiting for a successor, and, upon his arrival at Rome, halted, as usual, with the ensigns of his military rank, at the gates of the city, applied for a triumph, and at the same time made interest for votes at the approaching election *. The Senate, and the

* Dio. Cass. lib. xxxvii, c. 50, &c.

friends of the republic in general, were already become extremely jealous of his designs, and of his credit with the people. From a libertine he was become an ardent politician, seemed to have no passion but emulation or animosity to the more respectable orders of the State: without committing himself, he had abetted every factious leader against them, and seemed to be indifferent to consideration or honours, except so far as they led to power. Cicero and Cato were at this time the principal, or most conspicuous, members of the Senate. The first was possessed of consular rank, great ingenuity, wit, and accomplished talents: the other, possessed of great abilities and an inflexible resolution, embraced the cause of the republic with the same ardour that others displayed in conducting their interests or pursuing their pleasures. He had penetration enough to perceive in Cæsar, long before the Senate in general was alarmed, a disposition to vilify the aristocracy, and, in conjunction with needy and profligate citizens, to make a prey of the republic. Under this apprehension, he opposed him with a degree of keenness which Cæsar endeavoured to represent as a mere personal hatred or animosity to himself.

The Senators, in general, now aware of their danger from Cæsar, were disposed to resist his applications, whether made for honours or for public trust. They, on the present occasion, disputed his pretensions to a triumph; and, while he remained without the city in expectation of this honour, refused, according to the forms of the commonwealth, to ad-

mit him on the list of candidates for the office of Consul. But the day of election being fixed, Cæsar, without hesitation, preferred the consulate to the triumph, laid down the ensigns of his late military character, assumed the gown, and entered the city as a candidate for the Consulship *.

The people were at this time divided into a variety of factions. Pompey and Crassus distrusted each other, and both were jealous of Cæsar. Their divisions strengthened the party of the Senate, and furnished that body with the means of thwarting separately many of their ambitious designs. This Cæsar had long perceived, and had paid his court both to Pompey and to Crassus, in order to hinder their joining the Senate against him. The expedience of this precaution now appeared more clearly than ever; and he is supposed to have separately represented to these rivals the advantage which their enemies derived from their misunderstanding, and the ease with which, if united, they might concert among themselves all the affairs of the republic, gratify every friend, and disappoint every enemy. Upon this representation, Pompey and Crassus were reconciled, and agreed to act in concert with Cæsar, and in particular to support him in his pretensions at the approaching elections †.

This private combination, which remained some time a secret, was afterwards, by a kind of mockery, called the Triumvirate, alluding to the designation

* Sueton. in Cæsare, c. 18. Dio. lib. xxxvii, c. 54.

† Dio. Cass. lib. xxxvii. c. 54, 55. Plutarch. in Pompeio, Cæsare, et Crasso.

by which certain collegiate offices were known, derived from the numbers which were joined in the commission *. In the mean time, these leaders of supposed opposite factions, in abating their violence against one another, took a favourable aspect of moderation and candour. They paid their court separately to persons whom they wished to gain, and flattered them with hopes of being able to heal the divisions of their country. This sort of court they paid in particular to Cicero; and by their flatteries, and real or pretended admiration of his talents, seem to have got entire possession of his mind. Pompey affected to place the merits of Cicero greatly above his own. "I, indeed," he said, "have served my "country, but this man has preserved it †." At this time it appeared that Cicero, though a fine genius, was but a weak man. The Senators, with whom he had hitherto acted, were alarmed: Atticus, it seems, had taxed him with leaving his party, to commit himself into the hands of their enemies. In his answer to this imputation, he seems to have flattered himself that he had made an acquisition of Pompey, not surrendered himself into his power; at least, that he had reclaimed or diverted him from the dangerous projects in which he had been lately engaged, and that he thought himself likely to succeed in the same manner with Cæsar; so much, that he triumphed in the superiority of his own conduct to that of Cato, who, by his austerity and vehe-

* As the Decemvirs, Septemvirs, &c.

† Cicero ad Atticum, lib. ii, epist. 1.

mence, he said, had alienated the minds of men otherwise well disposed to the republic *, "while "I," he said, "by a little discretion, disarm, or even "reclaim its enemies †."

Few persons, where his vanity did not blind him, were possessed of more penetration than Cicero; but it will afterwards appear how egregiously he was mistaken on this occasion: he chose not to see what checked his vain-glory, or prevented his enjoying the court which was paid to him by such eminent men as Pompey and Cæsar. His own importance, for the most part, intercepted every other object from his view, and made him the dupe of every person who professed to admire him, and incapable of any serious regard for any one who did not pay him, on every occasion, the expected tribute of praise; a description under which Cato, though his most sincere well-wisher and friend, appears at this time to have fallen.

Cæsar, to the other arts which he employed to secure his election, added the use of money, which he obtained by joining his interest, in opposition to Bibulus, with that of Lucceius, another of the candidates possessed of great wealth. He himself having squandered his fortune, as has been observed, was still greatly in debt, and Lucceius willingly furnished the money that was given to the People in the

* Alluding to the opposition which Cato gave to the farmers of the revenue, in their petition for an abatement of their rent. But Cato followed his judgment in this matter; and there is no reason to prefer the judgment of Cicero to his.

† Cicero ad Atticum, lib. ii, epist. 1.

name of both. This illegal proceeding, together with the menacing concerts of which he began to be suspected with Pompey and Crassus, greatly alarmed the friends of the republic. They determined to support Bibulus against Lucceius; and in order to give Cæsar a colleague who might occasionally oppose his dangerous intentions, they even went so far as to contribute sums of money, and to bid for votes as high as their opponents. In this crisis, it is said, that even Cato owned it was meritorious to bribe *.

During the dependence of this contest, the Senate, by the death of Lutatius Catulus, was deprived of an able member, and the People of a fellow-citizen of great integrity, moderation, fortitude, and ability; a model of what the Romans in this age should have been, in order to have preserved the State. He partook with Cato in the aversion which Cæsar bore to the most respectable members and best supports of the Senate, and would probably have taken part with him likewise in the continual efforts he made to maintain its authority. The aristocratical party, notwithstanding this loss, prevailed in carrying the election of Bibulus against Lucceius; and though they could not exclude Cæsar from the office of Consul, they hoped, by means of his colleague, to oppose and to frustrate his designs †.

Cæsar, well aware of their purpose, opened his administration with a speech in praise of unanimity,

* Sueton. in Caio Cæsare, c. xix. Appian. de Bell. Civil. lib. ii.

† Plutarch. Appian. Dio. Sueton. &c.

and recommended good agreement between those who were joined in any public trust. While he meant to vilify the Senate, and to foster every disorderly party against them, he guarded his own behaviour, at least in the first period of his Consulship, with every appearance of moderation and candour, paid his court not only to leaders of faction, but to persons of every condition; and while he took care to espouse the popular side in every question, was active likewise in devising regulations for the better government of the Empire; so that the Senate, however inclined to counteract his designs, as calculated to raise himself on the ruins of the commonwealth, could scarcely, with a good grace, oppose him in any particular measure. He set out with a project for the relief of such indigent citizens as had numerous families, including the veterans and disbanded soldiers of Pompey: these he proposed to settle on some of the public lands in Italy. He gave out that he expected the concurrence of Cicero in this measure, sent him a message by Balbus *, with assurances *that he meant to consult with Pompey and himself in all matters of importance,* and *that he had hopes of bringing Crassus also into the same mind;* words, from which it is manifest that the coalition of these persons was not yet publicly known. "What "a fine prospect I have before me," says Cicero to Atticus, "a perfect union with Pompey, even with "Cæsar if I please; peace with my enemies, and

* Dio. Cass. lib. viii, initio. Plutarch. in Cæsare; in Pompeio, Lucullo, Catone, &c. &c. Sueton. in Cæsare. Appian. de Bell. Civil. lib. ii.

"tranquillity in my old age." But his heart soon after misgave him; the honours of his former life recurred to his mind. With his eminent talents, he was destined to transmit a more honest fame to posterity, and to become the lamented victim of his country's betrayers, not the detested associate of their crimes *.

This Consulate is distinguished by the passing of many laws, particularly this, which was devised for the settlement of citizens on certain parts of the public domain; and therefore known by the title of an Agrarian Law. On this act Cæsar was to rest his popularity, and his triumph over the Senate. He gave out that he was to make a provision for twenty thousand citizens, without any burden to the revenue. But he well knew that his antagonists would perceive the tendency of the measure, or not suffer it to pass without opposition; and he affected great moderation in the general purpose, and in framing every part of his plan; affecting solicitude to obtain the consent of the Senate; but, in reality, to make their opposition appear the more unreasonable and the more odious to the People. He declared, that he did not mean to strip the revenue of any branch that was known to carry profit to the public, nor to make any partial distribution in favour of his friends; that he only meant to plant with inhabitants certain unprofitable wastes, and to provide for a number of citizens, who, being indigent and uneasy in their circumstances, filled the city itself with frequent dis-

* Cicero ad Atticum, lib. ii, ep. 3.

orders and tumults; and that he would not proceed a step without consulting the Senate, and every person of credit and authority in the State.

In a way to save these appearances, and with these professions, Cæsar formed the first draught of an act which he brought to the Senate for their approbation, and in hopes to obtain their support in proposing it to the People. It was difficult to find topics on which to oppose a measure so plausible, and conducted with so much appearance of moderation and candour. But the tendency of the act itself was evidently not to promote the peace of the commonwealth, but to constitute a merit in the person who procured it, and to confer high measures of power on those who were to be intrusted with its execution.

In great and populous cities, indigent citizens are ever likely to be numerous, and would be more so, if the idle and profligate were taught to hope for bounties and gratuitous provisions, to quiet their clamours and to suppress their disorders. If men were to have estates in the country because they are factious and turbulent in the city, it is evident that public lands, and all the resources of the most prosperous state, would not be sufficient to supply their wants. Commissioners appointed for the distribution of such public favours would be raised above the ordinary magistrates, and above the laws of their country. They might reward their own creatures, and keep the citizens in general in a state of dependence on their will. The authors of such proposals, while they were urging the State and the People to ruin, would be considered as their only patrons and friends.

"It is not this law *I* dread," said Cato; "it is the "reward expected for obtaining it."

Odious as the task of opposition on such difficult ground might appear to the People, this Senator did not decline it. Being asked his opinion in his turn, he answered, that he saw no occasion for the change that was now proposed in the state of the public domains; and entered on an argument with which he meant so to exhaust the whole time of the sitting, as to prevent the Senate from coming to a question. He was entitled, by his privilege as a member in that assembly, to speak without interruption, and might, if he chose to continue speaking, persist until all the members had left the house. Cæsar suspecting his design, and finding it impossible otherwise to silence him, ordered him into custody. The whole Senate instantly rose in a tumult. "Whither go you before "the meeting is adjourned?" said Cæsar to Petreius, who was moving from his side. "I go," said the other, "into confinement with Cato. With him a "prison is preferable to a place in the Senate with "you." The greater part of the members were actually moving away with Cato, and Cæsar felt himself at once stripped of the disguise of moderation he had assumed, and dreaded the spirit which he saw rising in so numerous a body of men, who, on former occasions, had maintained their authority with a vigour too fatal to those who opposed it. He had relied on their want of decision, and on their ignorance of their own strength. But his rashness broke the charm. He wished that the prisoner would procure some friend among the Tribunes to interpose;

but Cato, seeing him embarrassed, and the Senate engaged in the cause, went off in the custody of the lictor without any signs of reluctance. Cæsar immediately recollecting himself, and never hurried too far by any passion, dispatched a Tribune of his own party with secret directions to rescue the prisoner; and this being done, the Senators again returned to their places. "I meant," said Cæsar, "to have submitted this law to your judgment and "correction; but if you throw it aside, the People "shall take it up *."

Cæsar, upon this occasion, increased his own popularity, and diminished that of his enemies in the Senate, who were supposed in this, as in some other instances, to withstand with keenness every measure that was devised for the comfort of the People. The imputations cast out against him by Cato and others, were supposed to proceed from malice or cynical prejudices. He found himself strong enough to extend his bounty to the People, so as to comprehend the lands of Campania, which were hitherto considered as unalienable, and the richest demesne of the public, together with a valuable district near the confluence of the Vulturnus and the Sabbatus, formerly consecrated to pious uses. In these valuable tracts of land there was sufficient subject for an ample provision for the soldiers of Pompey, and for the retainers of those who, together with Crassus and Cæsar himself, were proposed to be commissioners for carrying this law into execution.

* Dio. lib. xxxviii, c. 1, 2, 3. Plutarch. Sueton. Appian. &c.

At the first Assembly of the People, Cæsar proposed his scheme to impropriate the lands of Campania, with the above additions; and first of all called on his colleague Bibulus to declare his mind on the subject. Bibulus spoke his dissent; and in vehement terms declared, that no such alienation of the public demesne should be made in his Consulate. Cæsar next called upon Pompey, though in a private station; and the audience, ignorant of the concert into which these leaders had entered, were impatient to hear this oracle on the subject of a measure which was likely to elevate a supposed rival so high in the favour of the People. To the surprise of all who were present, Pompey applauded the general design, and, in a speech of considerable length, discussed all the clauses of the act, and with great approbation of each. When he had done speaking, Cæsar, alluding to what had dropped from his colleague, and affecting to fear the interposition of force: "Will you support us," he said to Pompey, "in case we are attacked?"—"If any one," said the other, "shall lift up a sword against you, I "shall lift up both sword and shield *." Crassus being called upon, also spoke to the same effect. The concurrence of all these leaders portended the unanimous consent of all parties; and a day being fixed for finally deciding the question, the assembly adjourned.

To oppose a measure so popular, and from which such numbers had great expectations, no means re-

* Cicero ad Att. lib. ii. Plutarch. in Pompeio. Dio. Cass. lib. xxxviii, c. 5.

mained so likely to succeed as superstition. To this aid Bibulus accordingly had recourse, and, by virtue of the authority with which he was vested, proclaimed a general fast, and a suspension for the present year of all the affairs of State. The design of this suspension, and the extravagant length of time to which it was extended, probably enabled his colleague to treat it with contempt, and to proceed in the design of putting his question, as if no such proclamation had been issued. The assembly was accordingly summoned in the temple of Concord. Cæsar, early in the morning, secured all the avenues and the steps of the portico, where he had Vatinius, one of the Tribunes of the People, who was entirely devoted to his interest, and even in his pay *, stationed with a party, and prepared to take the odium of all violent measures on himself. Bibulus, however, attended by numbers of the Senate, and three of the Tribunes, who were engaged by their negative to put a stop to every proceeding, came into the place of assembly, with all the forms of office, and protested against the legality of any meeting to be held in a time of general fast; but the opposite party being in possession of the temple, forced him from the steps, broke the ensigns of the lictors, wounded the Tribunes who interposed in his defence, and effectually removed all farther obstruction to their own designs. The question then being

* Cicero in Vatinium. Cæsar was reported to have said at Aquileia, some time after this date, when Vatinius was disappointed of the Edileship, that he had no business with honours, being intent on money only; and that he was paid for all his services in the Tribunate.

put, the law passed without opposition, including a clause to oblige every Senator, under pain of exile or death, to swear to the observance of it.

This oath was probably a snare laid by Cæsar for the most resolute of his opponents, like that which had been formerly laid by Marius, on a like occasion, for Metellus Numidicus, and by means of which that virtuous citizen was actually for some time removed from the commonwealth *.

Metellus Celer, the late Consul, together with Cato and Favonius, not aware of the snare which was laid for them, at first declared their resolution not to swear to the observance of any such ruinous law; but, on farther deliberation, they became sensible that in this they were serving the cause of their enemies. "You may have no need of Rome," said Cicero, now awake from his dream, to Cato, "and "may go into exile with pleasure; but Rome has "need of you. Give not such a victory to her ene- "mies and your own." Upon this view of the matter, it was determined to comply †.

Bibulus, on the day following that of his violent expulsion from the Assembly of the People, convened the Senate, represented the outrage he had received, and submitted the state of the republic to their consideration. But even this assembly, though consisting of above six hundred of the most powerful citizens of Rome, not destitute even of personal courage, were declined in their spirit, and become

* See vol. ii, c. 13.

† Plutarch. in Catone. Appian. de Bell. Civil. lib. ii.

averse to exertions of vigour. Being occupied with their villas, their equipages, and the other appurtenances of wealth and of high rank; "they appear," said Cicero upon this occasion, "to think, "that even if the Republic should perish, they will "be able to preserve their fish-ponds."

The Consul Bibulus, even Cato, though far removed from any ambiguity of conduct, saw no possibility of withstanding the torrent. The first retired to his own house, and from thenceforward, during the remainder of his term in office, did not personally appear in his public character, and even Cato absented himself from the Senate *.

While Cæsar engrossed the full exercise of the consular power, Bibulus was content with issuing his edicts or manifestoes in writing, containing protests, by which he endeavoured to stop all proceedings in public affairs on account of the religious fast, or continuation of holidays, which, according to the forms of the commonwealth, he had instituted to restrain his colleague. In these writings, he published violent invectives against Cæsar, in which, among other articles, he charged him with having had a part in the conspiracy of Cataline †. The Tribune Vatinius, in return, issued a warrant to commit the Consul Bibulus to prison; and, in order to seize his person, attempted to break into his house; but in this he was foiled; and the parties continued,

* Cicero pro Sexto. Plutarch. in Catone.

† Sueton. in C. Cæsare.

during the remainder of this Consulate, in the same situation with respect to each other.

In dating the year, instead of the Consulate of Cæsar and Bibulus, it was called by some wag the Consulate of Julius and Cæsar *. This able adventurer, though suspected of the deepest designs, went still deeper in laying his measures for the execution of them than his keenest opponents supposed. He found means to tie up every hand that was likely to be lifted up against himself; as those of Pompey and Crassus, by their secret agreement, of which the articles were gradually disclosed in the effect. He confirmed to Pompey all the acts of his administration in Asia, and, by putting him on the commission for dividing the lands of Campania, and for settling a colony at Capua, gave him an opportunity, which the other earnestly desired, of providing for many necessitous citizens of his party. He flattered Crassus sufficiently, by placing him on the same commission, and by admitting him to a supposed equal participation of that political consequence which the Triumvirs proposed to secure by their union. He gained the Equestrian order, by granting a suit which they had long in dependence, for a diminution of the rents payable by the revenue farmers in Asia †. These he reduced a third; and by this act, acquired with that order of men the character of great liberality and candour. He himself was the only person, who, in appearance, was not to profit

* Sueton. in C. Cæsare, c. 20. Dio. Cass. lib. xxxvii, c. 6, 8.

† Cicero ad Att. lib. ii, ep. 1. Appian. de Bell. Civil. lib. ii, p. 435.

by these arrangements. He was occupied, as his retainers gave out, in serving the republic, and in promoting his friends; was the general patron of the distressed and the indigent, and had nothing to propose for himself.

With his consent, and under his authority, Fusius, one of the Prætors, and Vatinius, one of the Tribunes, obtained two laws, both of them equitable and salutary: the first, relating to the use of the ballot in the Comitia, or Assembly of the People: the other, relating to the challenge of parties in the nomination of judges or juries. The introduction of the ballot in political questions had greatly weakened the influence of the aristocracy over the determinations of the People; and resolutions were frequently carried in this manner, which no party, nor any particular order of men, were willing to acknowledge as their measure. The Nobles imputed absurd determinations to the majority which was formed by the People, and these in their turn retorted the imputation. To leave no doubt in such matters for the future, Fusius proposed, that the separate orders of Patrician, Equestrian, and Plebeian, should ballot apart *. This regulation had some tendency to restore the influence of the superior classes.

Vatinius proposed, that in criminal actions, when the judges were drawn by lot, the defendant and prosecutors might, in their turns, challenge, or strike

* Dio. lib. xxxviii, c. 8.

off from the list, persons to whom they took a particular exception *.

Cæsar himself was busy in devising new regulations to reform the mode of elections, and to improve the forms of business in some of the public departments. By one of his acts the priests were to be elected agreeably to the former laws of Atius and Domitius, with this difference, that candidates might be admitted even in absence. By another of his acts, regular journals were to be kept in the Senate and in the Assemblies of the People, and all their proceedings recorded for the inspection of the public. By a third, persons convicted of treason were subjected to new penalties, and governors of provinces to additional restraints in the exercise of their power. Such officers were not allowed to receive any honorary gift from their provinces, until their services being considered at Rome, were found to have entitled them to a triumph †. They were restrained from encroaching on the right of any state or principality beyond the limits of their province. They were obliged to leave copies of their books and of their acts at two of the principal towns in their government ‡, and, immediately upon their arrival at Rome, to give in a copy of the same accounts to the treasury. They were doomed to make restitution of all subjects received in extortion, not only by themselves, but by any of their attendants ‖.

* Dio. lib. xxxviii, c. 8. Appian.
† Cicero ad Att. lib. v, ep. 16, et lib. vi, ep. 7.
‡ Cicero ad Famil. lib. ii, ep. 17. et lib. v, ep. 20.
‖ Cicero in Vatinium pro Sext.

With these acts Cæsar adorned his Consulate, and in some measure discountenanced the party which was disposed to traduce him. He is, nevertheless, accused of having stolen from the treasury, to which he had access in the capacity of Consul, bars of gold weighing three thousand pondo, and of having concealed the theft by substituting brass gilt, and of the same form, in its stead *.

Whatever foundation there may have been for this report, it soon appeared that Cæsar had objects of a more serious nature, could copy, on occasion, the example of Pompey, and, in his manner, cause what was personal to himself to be proposed by others, whom he might be free to support or disavow, according to the reception which his proposal should meet from the public. It cannot be doubted that he now conceived the design of having a military force, if necessary, to support his pretensions in the city. Hitherto kingly power being odious at Rome, whoever had aspired to it had always perished in the attempt, and the mere imputation, however supported, was fatal. The most profligate party among the populace were unable or unwilling to support their demagogues to this extent; and the people in general became jealous of their most respectable citizens when it appeared that merit itself approached to monarchical elevation. Marius, by the continued possession of the highest offices, and by the supreme

* Sueton. in Jul. c. 54. Cæsar is said to have sold the gold bullion he brought from Spain at 3000 H. S. or about L. 25 of our money the pondo. This will make his supposed theft about L. 75,000.

command of armies, had acquired a species of sovereignty which he knew not how to resign. Cinna came into partnership with Marius, and wished to govern after his decease. Sylla, to avenge his own wrongs and those of his friends, to cut off a profligate faction, and restore the republic, took possession of the government. He led his army against usurpers, and had the power to become himself the most successful usurper, as he was put in possession of a sovereignty which he no doubt might have retained. So far in him, therefore, every ambitious adventurer found a model, and was instructed in the means which could insure to a single person the sovereignty of Rome. Cataline, with his accomplices Lentulus and Cethegus, by means of a profligate party among the populace or citizens of desperate fortune, had vainly attempted to overturn the State, or usurp its government *. Cæsar was become head of the same party; but an army like that of Sylla, a convenient station, and the resources of a great province, were necessary to support the contest, and to carry it against his rivals, as well as against the republic itself, to any favourable issue.

The republic had taken many precautions to prevent the introduction of military power at Rome. Although the functions of state and of war were intrusted to the same persons, yet the civil and military characters, except in the case of a Dictator,

* Speaking of the imaginary danger to a state of being overturned by the rabble; We might as much fear, said a witty writer of the present age, that a city would be drowned by the overflowing of its own kennels.

were never united at once in the same person. The officer of state resigned his civil power before he became a soldier, and the soldier was obliged to lay aside his military ensigns and character before he could enter the city; and if he sued for a triumph in his military form, must remain without the walls till that suit was discussed. The command of armies and of provinces in the person of any officer was limited to a single year at a time, at the end of which, if the commission were not expressly prolonged, it was understood to expire, and to devolve on a successor named by the Senate.

That no leader of party might have an army at hand to overawe the republic, no military station was supposed to exist within the limits of Italy. The purpose, however, of this precaution was in some measure frustrated by the situation of a province in which an army was kept within the Alps. Italy was understood to extend only from the sea of Tarentum to the Arnus and the Rubicon: beyond these boundaries, on the north-west, all those extensive and rich tracts on both sides of the Appenines, and within the Alps, which now make the duchies of Ferrara, Bologna, Modena, Milan, the States of Piedmont and Venice, with the duchy of Carniola, and the whole of Lombardy, and part of Tuscany, were considered, not as Italy, but as a province termed the Cisalpine Gaul, and, like the other Roman provinces, was to be held by a military officer, supported by an army.

This then was the most commodious station at which a political adventurer might unite the great-

est advantages, that of having an army at his command, and that of being so near the city of Rome, as not only to influence the public councils, but to be able also, by surprise, to occupy the seats of government whenever his designs were ripe for such an attempt.

Sylla had an army devoted to his pleasure; but, having the seas of Asia and Ionia to pass in his way to Italy, could not, without giving an alarm from a great distance, and without putting his enemies on their guard, approach to the capital. He, therefore, when he had this object in view, made no secret of his purpose.

Cæsar, from his native disposition, could not restrain his ambition short of the sovereignty, and without any signal incitement or singular circumstances, like those of Sylla, was prepared to obtain it. He arranged his measures like the plan of a campaign, which he had ability to digest, and the patience to execute with the greatest deliberation. He proposed to make himself master of an army at the gates of Rome, and to have the resources of a province contiguous to the capital. He proposed to secure the possession of these advantages, by an unprecedented prolongation of the usual appointments for five years; so that after an appointment in these terms, the People themselves could not, without a breach of faith, recall their grant upon any sudden alarm of the improper use he might propose to make of their favours.

The Cisalpine Gaul, or that part of Italy which extended from the Rubicon to the Alps, was thus

peculiarly suited to the purpose of Cæsar. But the distribution of the provinces was still within the prerogative of the Senate; and the provincial governments were filled by their nomination, in pursuance of an express regulation ascribed to Caius Gracchus, and known, from his name, by the title of the Sempronian Law*. Cæsar had ever been at variance with the greater part of the Senate. In the office of Prætor he had been suspended by their authority. In his present office of Consul he had set them at open defiance. He had no prospect of being able to obtain from them the choice he had made of a province; and the proposal to put him in possession of the Cisalpine Gaul for a term of years, joined to the preceding parts of his conduct, would have given a general alarm, and opened at once the whole extent of his design.

It was necessary, therefore, in order to obtain this object, to set aside the authority of the Senate, and to procure his nomination by some degree of surprise. The Tribune Vatinius accordingly, upon a rumour that the Helvetii, or the nations inhabiting the tracts or valleys from Mount Jura to the Alps, were likely to cause some commotion on the frontier of Gaul, moved the People to set aside the law of Sempronius, and, by virtue of their own transcendent authority, to name Cæsar as Proconsul of the Cisalpine Gaul and Illyricum for five years, with an army of three legions. The senatorian party, as might have been expected, were greatly

* Lex Sempronia, vid. vol. ii, c. 10.

alarmed at this proposal. They vainly, however, hoped to evade it by substituting another appointment for Cæsar in place of this province. It was proposed to make him superintendant of the public forests throughout the empire; a charge which, though not, in our acceptation of the word, a province, was, however, like every other public department in that empire, known by this name. This substitute for the government of the Cisalpine Gaul was thought to be the better chosen, that it neither implied nor required the command of an army, and was to withhold the engine of military power from a person so likely to abuse it. This weak attempt, however, against so able an adversary, only tended to expose the meaning of those by whom it was made, and by showing to the Senate their own weakness, hurried them into concessions which perhaps might have been otherwise avoided. In order that Cæsar might not owe every thing to the People and nothing to them, they extended his command at once to both sides of the Alps. On the one side of these mountains he had a station from which to overawe the city: on the other, he had a great extent of territory, and a theatre of war on which he might form an army, and inure them to service. The Senate, seeing he had already, by a vote of the People, obtained the first with an army of three legions for five years, and imagining that it was no longer of any use to oppose him, or hoping to occupy his attention, or to wear out the five years of his command in wars that might arise beyond the Alps, they joined to his province on the Po that of the Transalpine

Gaul also, with an additional legion. In this manner, whether from these or any similar motives, it is affirmed by some of the historians *, that the Senate even outran the People in concessions to Cæsar; and to this occasion is referred the memorable saying of Cato: "Now you have taken to yourselves a "king, and have placed him with his guards in your "citadel †."

Cæsar, at the same time, on the motion of the Tribune Vatinius, was empowered to settle a Roman colony on the Lake Larius, at Novum Comum, with full authority to confer the privilege of Roman citizens on those he should settle in this place. Having obtained the great object of his Consulate, in his appointment for a term of years to the command of an army within the Alps, he no longer kept any measures with the Senate, nor allowed them any merit in the advantages he had gained. He was aware of their malice, he said, and had prevailed in every suit, not by their concession, but in direct opposition to their will. Though capable of great command of temper, and of the deepest dissimulation when in pursuit of his object, he appears, on this and other occasions, to have had a vanity which he idly indulged, in braving the world when his end was obtained ‡. As he insulted the Senate when no longer depending on their consent for any of his objects, so he no longer disguised his connection with

* Sueton. in Jul. Cæsare, c. 22.

† Plutarch. in Catone. Dio. Cass. lib. xxxviii. Appian. de Bell. Civil. lib. ii.

‡ Sueton. in Cæsare, lib. ii, c. 22.

Pompey and Crassus, or the means by which, in his late measures, the concurrence of these rivals had been obtained.

As such combinations and cabals generally have an invidious aspect to those who are excluded from them, the Triumvirate, for so it began to be called in detestation and irony *, notwithstanding the popularity or influence enjoyed by those who had formed it, became an object of aversion and general abuse †. They were received at all public places with groans and expressions of hatred. An actor, performing on the public theatre, applied to Pompey the Great, a sentence of reproach, which occurred in the part he was acting. The application was received with peals of applause, and called for again and again ‡.

The edicts that were published by Bibulus in opposition to Cæsar were extolled, and received with avidity. The places of the streets at which they were posted up were so crowded with multitudes assembled to read them, that the ways were obstructed. Cæsar and Pompey endeavoured to lessen the effect of these edicts in speeches to the People, but were ill heard. Pompey lost his temper and his

---

* The titles of Duumvirs, Triumvirs, and so on, were the designations of legal commissioners at Rome acting under public authority; such title was given to the private coalition of these adventurers in mere irony.

† Cicer. ad Att. lib. ii, ep. 16.

‡ "To our misfortune thou art great." He was called upon to repeat these words again and again innumerable times. "The time will come when thou "shalt rue this state;" likewise repeated with peals of applause, &c. Cicero ad Att. lib. ii, epist. 19. Val. Max. lib. vi, c. 2.

spirit, and sunk in his consideration as much as Cæsar advanced in power. It became manifest, even to the People, that Cæsar was the only gainer by this coalition, that he had procured it for his own conveniency *; but Pompey himself probably felt that he was too far advanced to recede.

The Senate, and all the most respectable citizens of Rome, though unanimous in their detestation of the design that was formed by Cæsar, Pompey and Crassus, to dispose of the republic at their pleasure, yet either were, or believed themselves, unable to cope with the power of so many factions united. Cæsar, in order to hold by force what he gained by artifice, and by some degree of surprise, filled the streets with his retainers in arms, and showed, that, in case of any attempt to recall what had been so weakly given up to him, he was in condition to resist, and to lay the city in blood. If he were driven from Rome, he had provided within the Alps an army of two or three complete legions, with which he could maintain his province, or even recover his possession of the city. Every one censured, complained and lamented; but there was little concert, and less vigour, even among the members of the Senate.

Cato, with his declared disapprobation of the late measures, was reduced to the single expedient of assisting Bibulus in drawing up the edicts or manifestoes against the proceedings of Cæsar, which, as

* One of the sentences, so much applauded in its application to him at the theatre, was, "Eandem virtutem tempus veniet cum graviter gemes."

has been mentioned, were at this time received with so much avidity by the People.

Cicero now declined taking part in any affair of state; but being known for an advocate of the greatest ability, was courted in this capacity by many citizens, who had affairs in dependence before the courts of justice; but apprehending an attack which was likely to be made upon himself, on account of the transactions of his Consulate, he avoided, as much as possible, giving offence to any of the parties which divided the commonwealth. The storm was to be directed against him by Publius Clodius, under whose animosity to the government of the Nobles, and to Cicero in particular, it was perceived for some time to be gathering *.

This bustling profligate having, in the former year, in order that he might be qualified for Tribune of the People, got himself adopted into a plebeian family, could not obtain the necessary ratification of the deed of adoption in the Assembly of the Curiæ, until his cause was espoused by Cæsar, who seems to have taken his part in resentment of some insinuations thrown out against himself by Cicero, in pleading for M. Antonius, his late colleague in the Consulate. Antonius being, as has been mentioned, on account of his administration in Macedonia, accused of extortion, was defended by Cicero, who took that occasion to lament the state of the republic, brought under subjection as it was by a cabal which ruled by violence, and in contempt of the laws. Cæsar was

* Cicero ad Att. lib. ii, epist. 19, 20, 21, 22, 23.

greatly provoked at these expressions: "This per-
"son," he said, "takes the same liberty to vilify the
"reputation of others, that he takes to extol his
"own;" and considering this speech as a warning of the part which Cicero was likely to take in his absence, he determined not to leave him at the head of the senatorian party to operate against him. His destruction might be effected merely by expediting the formality of Clodius's adoption into a plebeian family, to qualify him for Tribune of the People *; and Cæsar, on the very day on which he received this provocation from Cicero, permitted the act of adoption to pass in the Assembly of the Curiæ.

Pompey likewise concurred in executing this deed of adoption for Clodius, and assisted, in the quality of Augur, to carry it through the religious forms. Clodius, in the mean time, gave out, that he had no design on the Tribunate, but was soliciting an embassy to Tigranes king of Armenia. Cicero was so much blinded by this pretence, that he was merry in his letter to Atticus on the absurdity of Clodius, in having himself degraded into a Plebeian, merely to qualify him to appear at the court of Tigranes. He was merry likewise with his not being put on the commission of twenty for the execution of Cæsar's Agrarian Law. "Strange!" he said, "that he
"who was once the only male creature in Cæsar's
"house, cannot now find one place among twenty
"in the list of his friends †."

* Dio. Cass. lib. xxxviii, c. 10, &c. Plutarch. in Cicerone. Cicero pro domo sua, de Provinciis Consularibus, &c.

† Cicero ad Att. lib. ii, epist. 7.

The more effectually to impose upon Cicero and his friends, Cæsar affected to believe, that the intention of Clodius was against himself, and taken up with the animosity of a person who had already attempted to dishonour his house *; and he pretended to dispute the validity of his adoption, and, of consequence, his qualification to be elected a Tribune. Pompey joined also in the same vile artifice. "Nay," says Cicero, upon hearing of their pretended opposition to Clodius, "this is vexation merely. "Send but the proper officers to me, and I will make "oath, that Pompey told me himself he had assisted "as Augur in passing that decree †."

With these transactions the year of Cæsar's Consulate drew to a close. He ratified his treaty with Pompey, by giving him his daughter Julia in marriage. During the former part of the year, this lady had been promised to Servilius Cæpio, and had been of great use to her father, by securing the services of Cæpio against Bibulus. But now it was found more expedient to attach Pompey; and Servilius, on his disappointment, was pacified by the promise of Pompey's daughter. Cæsar himself married the daughter of Calpurnius Piso, who, together with Gabinius, the creature of Pompey, was destined to succeed in the Consulate, and who was, by this alliance, secured in the interest of Cæsar. "Provinces, ar-"mies, and kingdoms," said Cato on this occasion, "are made the dowries of women ‡, and the empire "itself an appendage of female prostitution."

* In the intrigue with Cæsar's wife. † Cic. ad Att. epist. 10. Vol. 12.
‡ Plutarch. in Catone.

In this situation of affairs, and among parties who dealt in impositions and artifices, as well as in open and daring measures, some particulars are recorded, which, to gain our belief, require some acquaintance with the intrigues of popular faction. Vettius, a citizen of some note, who had been employed by Cicero in the time of his Consulship to gain intelligence of the Cataline conspiracy, now himself appeared as the author of a plot, of which the origin and the issue were matter of various conjecture. Knowing that Curio, a young man of high rank, and a declared enemy of Cæsar, was on bad terms likewise with Pompey, Vettius told him in confidence, that he himself had determined to assassinate Pompey, and proposed to Curio to join with him in that design. The young man communicated the matter to his father, and the father to Pompey, who laid it before the Senate. Vettius being examined in the Senate, at first denied any intercourse with Curio, but afterwards confessed that he had been drawn into a conspiracy in which this young man was concerned with Lucullus, Brutus, Bibulus, and some others, who had formed a design on Pompey's life.

It was suspected, that Cæsar had employed Vettius to pretend this design against Pompey, and by opening himself to these persons to engage some of them in a concert with himself; and that it was intended, as soon as he had laid some foundation for an imputation of guilt against any of them, that he should, attended by a party of slaves, armed with daggers, put himself in the way of being taken;

that he should at first deny the plot, but afterwards suffer himself to be forced, by degrees, to confess, and to declare his accomplices; but that this plan was disconcerted by the early intimation which Curio gave to his father, before all the circumstances projected to give it an air of probability were in readiness.

It was scarcely credible, however, that Cæsar should have committed his reputation to the hazard of detection in so infamous a project. He laid hold of it indeed with some avidity, and endeavoured to turn it against his opponents. After Vettius had been examined before the Senate, and was committed to prison for farther examination, Cæsar presented him to the People, and brought him into the rostra, to declare what he knew of this pretended most bloody design. The prisoner repeated his confession, but varied in the account of his accomplices, particularly in leaving Brutus out of the list; a circumstance likewise, in the scandal of the times, imputed to the partiality of Cæsar, and considered as proof of his clandestine relation to this young man. Vettius was remanded to prison, and a process commenced against him on the statute of intended assassination. A trial must have probably disclosed the whole scene, and for this reason was said to have been prevented, by the sudden death of Vettius, who was supposed to have been strangled, by order of Cæsar, in prison *.

* Cicero ad Att. lib. ii, epist. 24. Sueton. in Cæsare, c. 20.

By the influence of Pompey and Cæsar, Gabinius and Piso were elected Consuls; and, by their connivance, Clodius became Tribune of the People. The ascendant they had gained, however, was extremely disagreeable to many of the other officers of state, and even to some of the Tribunes. L. Domitius Ahenobarbus and C. Memmius Gemellus joined in a prosecution against Cæsar, late Consul, for proceedings in office contrary to law and religion. Cæsar, for some time, affected to join issue with them on the questions proposed, and to submit his cause to judgment; but at last, apprehending delay and trouble, without any advantage from such an inquiry, he pleaded his privilege as a person destined for public service; and accordingly, without staying to answer the charge which was laid against him, withdrew from the city, continued to make his levies, and to assemble an army in the suburbs of Rome. In this posture of affairs, one of the Quæstors, who had served under Cæsar in his Consulship, was convicted of some misdemeanour *; and the opposite party, as if they had of a sudden broke the chains in which they were held, commenced suits against all the tools that had been employed by him in his late violent measures. Gabinius had been charged with bribery by Caius Cato, then a young man. But the Prætor, whose lot it was to exercise the jurisdiction in such cases, being under the influence of Pompey, evaded the question. Caius Cato complained to the

U. C. 695. L. Calpurnius Piso Cesonianus, A. Gabinius Nepos.

* Sueton. in Nerone, c. ii, et in Cæsare, c. 23.

People, and, in stating the case, having said that Pompey usurped a dictatorial power, so far incensed part of his audience, that he narrowly escaped with his life *.

Vatinius, the late mercenary Tribune, was accused before the Prætor Memmius, who willingly received the accusation; but all proceedings in the matter were suddenly stopped by the interposition of Clodius in his new situation; and the attention of the People and of the Senate soon afterwards came to be more intensely occupied with the designs of this factious Tribune himself, than with any other business whatever.

The ruin of Cicero appears to have been the principal object which Clodius proposed to himself in soliciting the office which he now held; and this, though affecting to be of the popular party, he pursued chiefly from motives of personal animosity and resentment. Cicero had given evidence against him on his late trial, and afterwards in the Senate made him the object of his wit and invective †. He is generally represented as effeminate and profligate, void of discretion or prudence. On the present occasion, however, he seems to have managed with considerable steadiness and address. He acted evidently in concert with Cæsar, Pompey, and Crassus; but probably had not from them any particular direction in what manner he was to proceed.

Ever since the summary proceedings which were

* Cicero ad Quint. Frat. lib. i, epist 2.

† Cicer. ad Atticum, lib. i.

employed against the accomplices of Cataline, the danger of this precedent was a favourite topic with the popular faction. Clodius professed that the whole object of his Tribunate was to provide a guard against such dangers for the future. He began with paying his court to the different parties and different orders of men in the republic, by proposing such acts as were favourable to each; and he stated his motion for better securing the People against arbitrary executions, without any application to Cicero, as but one of many regulations intended by him for the benefit of the public, and which he joined with some acts of gratification to private persons. He gained the present Consuls by procuring them lucrative appointments, at the expiration of their year in office; to Piso, Macedonia including Achaia; to Gabinius, Syria with a considerable addition beyond the usual bounds of that province *. He gained the indigent part of the People by an act to remit all the debts which were due for corn at the public granaries; and by ordering for the future, gratuitous distributions to be made from thence †. He at the same time procured another act extremely agreeable to many of the citizens, for restoring and increasing the number of incorporated societies, which had been abolished about nine years before, on account of the troubles to which they gave rise.

The operation of corporate bodies, in a city so much addicted to faction and tumult, had been the

* Plutarch. in Cicerone.

† Pædianus in Pisoniana. Dio. lib. xxxviii. Cicer. pro Domo sua.

cause of frequent disorders. As persons, affecting to govern the State, endeavoured to gain the People by indulging their humour in idleness and dissipation, with games, theatrical entertainments, combats of gladiators, and the baiting of wild beasts; so the head of every corporate body, though upon a smaller scale, had his feasts, his entertainments, and shows, forming to himself a party of retainers, on occasion, to be employed as his faction might require. The renewal, therefore, of such establishments, a measure which carried to every ambitious tradesman in his stall the feelings and consequence of a Crassus, a Pompey, or a Cæsar, affecting to govern the world in their respective ways, was greedily adopted by the lower people. And Clodius took occasion, in the first ardour of such corporate meetings, to foment and to direct their zeal to his own purpose *. He even gained a considerable party in the Senate, by affecting to circumscribe the discretionary power of the Censors in purging the rolls. Many of the members had reason to dread the censorial animadversions, and were pleased with an act which this Tribune obtained to provide, that, for the future, no one could be struck off the list of the Senate without a formal trial, and the concurrence of both the Censors †.

Joined to so many arts practised to reconcile different parties to the measures he affected to take for the security of the People, Clodius promulgated

* Dio. lib. xxxviii, c. 13. Cicero in Pisonem, c. 4, et Ascanius, ibid.

† Ibid. See a summary of these acts. Cicero pro Sextio, from c. 15, to c. 28

his law of provision against arbitrary executions, and gave it a retrospect, which was undoubtedly meant to comprehend the summary proceedings which had been held against Cethegus and Lentulus, in the Consulate of Cicero. While the subject was under consideration, he thought of two circumstances which might operate against his design, and which he was therefore determined to prevent. One was, the practice of recurring to the celestial auspices, by which the proceedings of the People were sometimes suspended; and the other was, the opposition which he might expect from Marcus Cato, who was likely to consider the cause of the Senate and the republic as involved in that of the magistrate, who had preserved the State by executing their decrees. To secure himself against the first, he procured an edict to prohibit all persons from observing the heavens while the People were deliberating on any affair of state; and to obviate the second, he thought of a pretence for a temporary removal of Cato from Rome.

In the preceding Consulate, Cato, though armed as he was solely with the reputation of integrity, unable to prevent the progress of a ruinous faction affecting popular measures, yet, by his unremitted opposition, he had forced them, on occasion, to show, what Pompey in particular was extremely desirous to conceal, that they prevailed by corruption and force, not by what they pretended, the free choice of their fellow-citizens. Clodius, foreseeing, if Cato remained at Rome, a like opposition, and possibly a disappointment in his design against

Cicero, devised a commission to employ him in foreign service. Ptolemy, King of Cyprus, had put a personal affront on Clodius, by refusing to pay his ransom when taken by pirates on the coast of Asia near to that island. But now, in the wretched condition of nations, depending on the will of a single profligate citizen, he took an opportunity to be revenged on this prince, by procuring an act to forfeit his kingdom and his treasure; and by making Cato the instrument of his revenge, he proposed to free himself at the same time from the interruption which this citizen was likely to give to his projects in the city *.

At an interview with Cato, Clodius had the impudence to pretend great admiration of his virtue; told him, that the commission to reduce Cyprus into the form of a province was solicited by many; but that he knew of none who, by his faithfulness and integrity, was so well qualified for the trust as Cato, and that he meant to propose him to the People. "That," said Cato, "I know is a mere artifice; not an honour, but an indignity intended to me." Nay," said Clodius, "if you do not go willingly, you shall go by force;" and on that very day moved and obtained his nomination from the People. Lest the affair of Cyprus should not detain him a sufficient time, he was further charged in his commission to repair to Byzantium, to restore some exiles, and to quiet some troubles which had arisen in that place.

* Cicero pro Sextio.

Cæsar and Pompey likewise concurred in procuring this commission to Cato, in order to remove a powerful support from the Prætors Memmius and Domitius, whose proposal to repeal all the acts of Cæsar was yet in suspense.

The storm was now ready to burst upon the magistrate who had presided in the suppression of Cataline's faction, and no man had any doubt of its direction. Cato, before he left Rome, seeing Cæsar in possession of the gates with an army, and ready, in the event of any tumult, under pretence of repressing disorders, to enter the city by force, and to seize on the government, or apprehending, that the cause in question, however just, was altogether desperate, earnestly exhorted Cicero, rather to yield and to withdraw from the city, than to bring matters to extremities in the present state of the republic *.

Cicero, however, was for some time undecided. Having secured the support of L. Ninius Quadratus, one of the Tribunes, he proposed to obstruct the proceedings of his enemy, by opposing the negative of a colleague to all his motions. Afterwards, upon assurances from Clodius, that the purpose of the act was altogether general, and had no special relation to himself, he was prevailed on not to divide the college of Tribunes, nor to engage his friends in the invidious task of giving the negative to a law, which was intended merely to guard the People for the future against arbitrary proceedings †.

* Plutarch. in Catone. † Dio. lib. xxxviii, c. 14.

But Clodius, having thus made way for the declaratory act, which he had drawn up in general terms, no longer made any secret of his design against the magistrate, who had dared to order the execution of Lentulus and Cethegus, and boasted of the concurrence of Cæsar and Pompey. In this neither of these professed friends of Cicero denied the imputation *; but excused themselves in private by pleading, that while their own acts of the preceding year were still questioned by the Prætor, it was necessary for them to keep terms with so violent a tribune as Clodius †; and Pompey, together with this apology for his present conduct, gave Cicero the strongest assurances of future protection. "This Tribune," he said, "shall kill me before he "injure you." It is not credible that Pompey then meant to betray a person for whom he professed so much friendship; it was sufficiently base that, in the sequel, he did not perform his promise. On the contrary, when his aid came to be most wanted by his injured friend, he retired to the country, under pretence of business; and being at his villa near Alba, where Lentulus, Lucullus, and many of the most respectable Senators repaired to him with the warmest entreaties in behalf of a person to whose eloquence and panegyric he owed so many of his honours, he coldly referred them to the ordinary officers of State for protection, saying, That as a private citizen he could not contend with a furious Tribune at the head of an armed People ‡.

* Cicero post reditum in Senatum. † Ibid. pro Sextio, c. 17, et 18.
‡ Cicero in Pisonem.

In the meantime, the Consul Gabinius, though under the absolute direction of Pompey, promoted the attack against Cicero, and checked every attempt that was made in his favour. When the Equestrian order, together with numbers of the most respectable citizens from every quarter of Italy, crowded in mourning to Rome, and presented a memorial to the Senate in his behalf; and when the members of the Senate itself proposed to take mourning, and to intercede with the People, Gabinius suddenly left the chair, broke up the meeting, went directly from thence to the Assembly of the People, where he threw out injurious insinuations against the Senate, and mentioned the meetings which had been held by the Equestrian order as bordering on sedition and riot; said, that the Knights ought to be cautious how they revived the memory of that part which they themselves had acted in the violent measures which were now coming under review, and which were so likely to meet with a just retribution from the People of Rome.

In this extremity Cicero attempted to see Pompey in person at his country house; but while the suppliant was entering at one door, this treacherous friend withdrew at another *. No longer doubting that he was betrayed by a person on whom he had so fully relied, he began to be agitated by a variety of counsels and projects. He was invited by Cæsar to place himself in the station of lieutenant in his province of Gaul; and, in that public character

* Plutarch. in Ciceron.

abroad, to take refuge from the storm that was gathering against him in Italy. But this, from a person who had so much contributed to raise the storm, was supposed to proceed from a design to insult or betray him; or at best to reduce him to a state of dependence on himself. Being attended by a numerous body of citizens, chiefly of the Equestrian order, who had taken arms in his cause, he sometimes had thoughts of defending himself by force; at other times, he sunk in despair, and, as appears from his letters, proposed to die by his own hands; an intention from which he was diverted only by the entreaties and anxious care of his friends.

Such was the state of affairs, when Clodius assembled the People to pass the act he had framed against arbitrary executions. He had summoned them to meet in the suburbs, that Cæsar, who on account of his military command was then excluded from the city, might be present. This artful politician being called upon, among the first, to deliver his opinion, with an appearance of moderation, and unwillingness to bear hard on any person to whom the law might apply, referred the People to his former declarations; said, that every one knew his mind on the subject of arbitrary executions; that he certainly approved the act which was now proposed, as far as it provided against such offences for the future; but could not concur in giving it a retrospect to any transaction already passed.

While Cæsar thus, in delivering his own opinion, affected to go no farther than consistency and regard to his former conduct seemed to require, he permit-

ted or directed his party to go every length with Clodius, and meant either to ruin Cicero, or force him to accept of protection on the terms that should be prescribed to him.

When the general law had passed, there was yet no mention of Cicero; and his enemies might have still found it a difficult matter to carry the application to him; but he himself, in the anguish of his mind, anticipated the consequence, went forth in mourning to the streets, and implored mercy of every citizen with an aspect of despondency, which probably did not encourage any party to espouse his cause. He was frequently met in this condition, and insulted by Clodius, who walked in the streets, attended by an armed rabble; and determined at last to abandon the city. Being escorted by a company of his friends, he passed through the gates in the middle of the night on the first of April, took the road of Lucania, and intended to have made his retreat into Sicily, where he flattered himself the memory of his administration in the quality of Quæstor, and the subsequent effects of his patronage at Rome, were likely to procure him a favourable reception *. But Clodius, immediately upon his departure, having carried a special attainder, by which, in the language of such acts, he was interdicted the use of fire and water; and by which every person within five hundred miles of Italy was forbid, under severe penalties, to harbour him; Virgilius, the Prætor of Sicily, though his friend, declined to re-

* Vid. Actionem in Verrem.

ceive him. He turned from thence to Brundisium, passed into Macedonia, and would have fixed his residence at Athens; but apprehending that this place was within the distance prescribed to him by the act of banishment, he went to Thessalonica in his way to Cyzicum. Here he had letters, that gave him intimation of some change in his favour, entertained some prospect of being speedily recalled, and accordingly determined to wait the issue of these hopes.

We have better means of knowing the frailties of Cicero, than perhaps is safe for the reputation of any one labouring under the ordinary defects of human nature. He was open and undisguised to his friends, and has left an extensive correspondence behind him. Expressions of vanity in some passages of his life, and of pusillanimity in others, escape him with uncommon facility. Being at least of a querulous and impatient temper, he gave it full scope in his exile, perhaps not more from weakness, than from a design to excite his friends in redoubling their efforts to have him restored. He knew the value of fortitude as a topic of praise, and might have aspired to it; but would it not, he may have questioned, in the present instance, encourage his party to sleep over his wrongs? In any other view, his complaints resemble more the wailings of an infant, or the strains of a tragedy composed to draw tears, than the language of a man supporting the cause of integrity in the midst of unmerited trouble. "I wish I may "see the day," he writes to Atticus, "in which I "shall be disposed to thank you for having prevail-

" ed upon me not to lay violent hands on myself; " for it is certainly now matter of bitter regret to " me that I yielded to you in that matter *."

In answer to the same friend, who had chid him for want of fortitude, " What species of evil," he says, " do I not endure? Did ever any person fall " from so high a state? in so good a cause? with " such abilities and knowledge? with so much pub- " lic esteem? with the support of such a respectable " order of citizens? Can I remember what I was, " and not feel what I am? Stripped of so many " honours, cut off in the career of so much glory, " deprived of such a fortune, tore from the arms of " such children, debarred the view of such a bro- " ther, dearer to me than I was to myself, yet now " debarred from my presence, that I may spare him " what he must suffer from such a sight, and myself " what I must feel in being the cause of so much " misery to him. I could say more of a load of evils " which is too heavy for me to bear; but I am " stopped by my tears †."

From the whole of this correspondence of Cicero in his exile, we may collect to what degree the unjust reproaches which he had suffered, the desertion of those on whom he relied for support, the dangers to which he left his family exposed, affected his mind. The consciousness of his integrity, even his vanity forsook him; and his fine genius, no longer displayed in the Forum or in the Senate, or busied

* Cicero ad Att. lib. iii, epist. 3.

† Ibid. lib. iii, epist. 10.

in the literary studies which afterwards amused him * in a more calamitous time of the Republic, now, by exaggerating the distress of his fortunes, prevailed upon himself. It appeared from this, and many other scenes of his life, that although he loved virtuous actions, yet his virtue was accompanied with so insatiable a thirst of the praise to which it entitled him, that his mind was unable to sustain itself without this foreign assistance; and when the praise to which he aspired for his Consulate was changed into obloquy and scorn, he seems to have lost the sense of good or of evil in his own conduct or character: and at Thessalonica, where he fixed the scene of his exile, sunk or rose, even in his own esteem, as he seemed to be valued or neglected at Rome †.

* See the Book of Tusculan Questions.

† Vid. Cicero ad Att. lib. iii.

END OF VOLUME SECOND.

Digitized with financial assistance from the
Dr. Rani Karur
on 12 April, 2019